
City of Fremont Initial Study

1. **Project:** Granite Ridge (City of Fremont File Number: PLN2015-00167)
2. **Lead Agency name and address:**
City of Fremont Community Development Department – Planning Division
39550 Liberty Street, 1st Floor
Fremont, CA 94538
3. **Lead Agency contact person:**
Bill Roth, Associate Planner
Phone: (510) 494-4450
E-mail: broth@fremont.gov
4. **Project location:** 37350 Sequoia Road, Fremont, CA (see *Figure 1: Vicinity Map* and *Figure 2: Site Aerial*)
5. **Project Sponsor's name and address:**
DPD Investments, LLC
Attn: Jim Sullivan
404 Saratoga Ave., Ste. 100
Santa Clara, CA 95050
Phone: (408) 985-6029
E-mail: jsullivansld@yahoo.com
6. **General Plan Land Use Designation:** Medium Density Residential (14.6 to 29.9 units per net acre)
7. **Current Zoning:** R-3-27 Multifamily Residence District
8. **Description of project:**

The proposed project includes a Tentative Tract Map (No. 8239), Design Review, Private Street, and Preliminary Grading Plan to facilitate development of 76 apartment units and 56 townhome units on an approximately 4.75-gross-acre project site, which includes an approximately 4.50 acre lot (APN: 501-1310-009-02) and an approximately 0.18-acre easement area for parking and landscaping on an adjacent lot (APN: 501-1310-21-9; owned by the Alameda County Water District) within the Centerville Community Plan Area of the City of Fremont. The proposed project site at 37350 Sequoia Road (APN: 501 1310-009-02) is located on the southeast corner of the intersection of Sequoia Road and Paseo Padre Parkway (see Figure 1: Vicinity Map).

The zoning designation for the project site is currently R-3-27 Multifamily Residence District. As part of a City-initiated comprehensive update to the Commercial, Residential and Open Space zoning districts within the City, multiple lots within the City, including the subject site, would be rezoned to bring those zoning district designations into conformance with the City's General Plan, which was adopted in 2011. Whereas the 1991 Fremont General Plan used 15 different density ranges to show residential areas, the current General Plan uses just five categories and relies on zoning to address the finer-grain distinctions within areas that have the same General Plan designation (Implementation Measure 2-2.4.A of the General Plan). A City-initiated rezoning, which included the subject property and was approved on June 2, 2015, rezoned the site to R-3-30 Multifamily Residence District, and will be effective from July 2, 2015. The proposed project, at a density of approximately 29 dwelling units per net acre, would be in conformance with the R-3-30 Multifamily Residence District zoning designation and the site's General

Plan Land Use designation of Medium Density Residential (14.6 to 29.9 units per net acre).

The majority of the proposed project site, which previously served as a City of Fremont municipal corporation yard, is paved (approximately 90%), with the exception of a small landscaped island, which includes a City of Fremont Landmark Bottle Brush tree (*Callistemon viminalis*) that will be preserved in place with the proposed project, and several patches of unpaved or partially paved surface where buildings and structures associated with the previous use were located. The proposed project would involve the removal of existing paving and foundations and the grading of the site to form new building pads and private street and sidewalk grades.

As part of the proposed project, the 4.75-gross-acre project site would be subdivided into 12 residential lots (including one lot for the apartment building and eleven lots for the eleven multi-unit townhouse buildings), four parcels for the proposed private street, two parcels for the common use areas adjacent to the townhouse buildings, and one parcel for the proposed storm water treatment and landscaping area along the eastern perimeter of the subject property. Upon completion of site preparation and final grading, the installation of streets sidewalks, and utilities, the construction of the new residences would be completed over an approximately 13-month period.

The proposed apartment building would have four floors, with the first floor consisting of apartment units, a leasing office, a clubroom, and a common use area (atrium). The second through fourth floors would consist of apartment units. Each of the proposed townhouse buildings would be three floors, with two-car garages located on a portion of the first floor. Parking spaces for the apartment units would be located along the southern perimeter of the project site, near the Central Pacific Railroad (Union Pacific Railroad, UPRR), and the eastern perimeter of the site. A proposed eight-foot sound wall would be installed along the southern property line adjacent to the Central Pacific Railroad. Security fencing would be installed between the proposed project site and the adjacent pond to the east (Pit T-2), which is owned by the Alameda County Water District and further described in the "Surrounding land uses and setting" section below. Stormwater treatment areas would be constructed along the western and southern perimeters of the project as well as to the east of the proposed apartment building and along the central paseo between the proposed townhouse buildings. Wastewater and other utilities would be connected to existing facilities adjoining Sequoia Road.

Circulation and Parking

The proposed project would include a new, internal private street to serve the development and provide access to Sequoia Boulevard and Paseo Padre Parkway with two driveways on Sequoia Boulevard and one right-in, right-out driveway on Paseo Padre Parkway. Parking for the apartment units would be provided with surface parking located along the northeastern perimeter of the site. Parking for each proposed townhouse would be provided with two-car garages attached to the units. Guest parking would be located along the southern perimeter of the site, near the Central Pacific Railway. Limited on-street parking would be available on Sequoia Boulevard. The proposed project would include new curb, gutter, and street tree improvements along Sequoia Road and the removal and replacement of the sidewalk and the street trees (primarily tulip trees) along Paseo Padre Parkway with new sidewalk and more suitable tree species that require less water, to be selected by the City's Landscape Architect.

Grading

The site is flat with a gentle change in elevation ranging from approximately 58 feet in the southern portion of the site to 62 feet in the northern portion. The proposed Project would include the excavation of existing concrete slabs and associated foundations and the removal of asphalt. Approximately 2,000 cubic yards of material would be exported from the site. To create a flat building surface and facilitate effective drainage of stormwater to proposed bioretention areas, approximately 15,000 cubic yards of soil on site would be cut, to a depth of approximately 1.5 feet, and shifted around the site. Excavation to create the

proposed stormwater bioretention areas would be up to approximately 3 feet in depth.

Tree Removal and Replacement

A tree survey was conducted for the property by Hort Science in October 2014, which identified 14 trees on the project site that are of a size and species subject to the tree removal mitigation requirements of the City of Fremont Tree Preservation Ordinance. One of the trees, a bottle brush tree, which was designated as a Landmark tree by the City of Fremont on June 19, 2012, will be preserved in place. The other 13 trees would be removed to facilitate the development of the proposed project. As a part of the project, seven Tulip Trees (street trees) located in planter strips along the public right of way on Paseo Padre Parkway will be replaced with trees deemed more suitable for the location, to the satisfaction of the City's Landscape Architect.

The removal of protected trees is subject to requirements involving the planting of replacement trees or the payment of in-lieu fees to mitigate the removal of trees that cannot be replaced on-site due to land area constraints, in accordance with the mitigation requirements of the City's Tree Preservation Ordinance. The proposed project would include the planting of approximately 80+ trees on the project site. Additionally, as part of the public right of way improvements included with the project, the seven tulip trees (street trees) located in planter strips adjacent to Paseo Padre Parkway would be replaced with more suitable tree species that demand less water, as to be determined by the City's Landscape Architect.

Landscaping

Landscaping for the project site would include the planting of non-invasive trees, shrubs, and grasses. The stormwater treatment area to be constructed with the project would be planted with a mix of plants suitable for stormwater treatment areas. Street trees would be planted along Sequoia Road and Paseo Padre Parkway.

9. Surrounding land uses and setting:

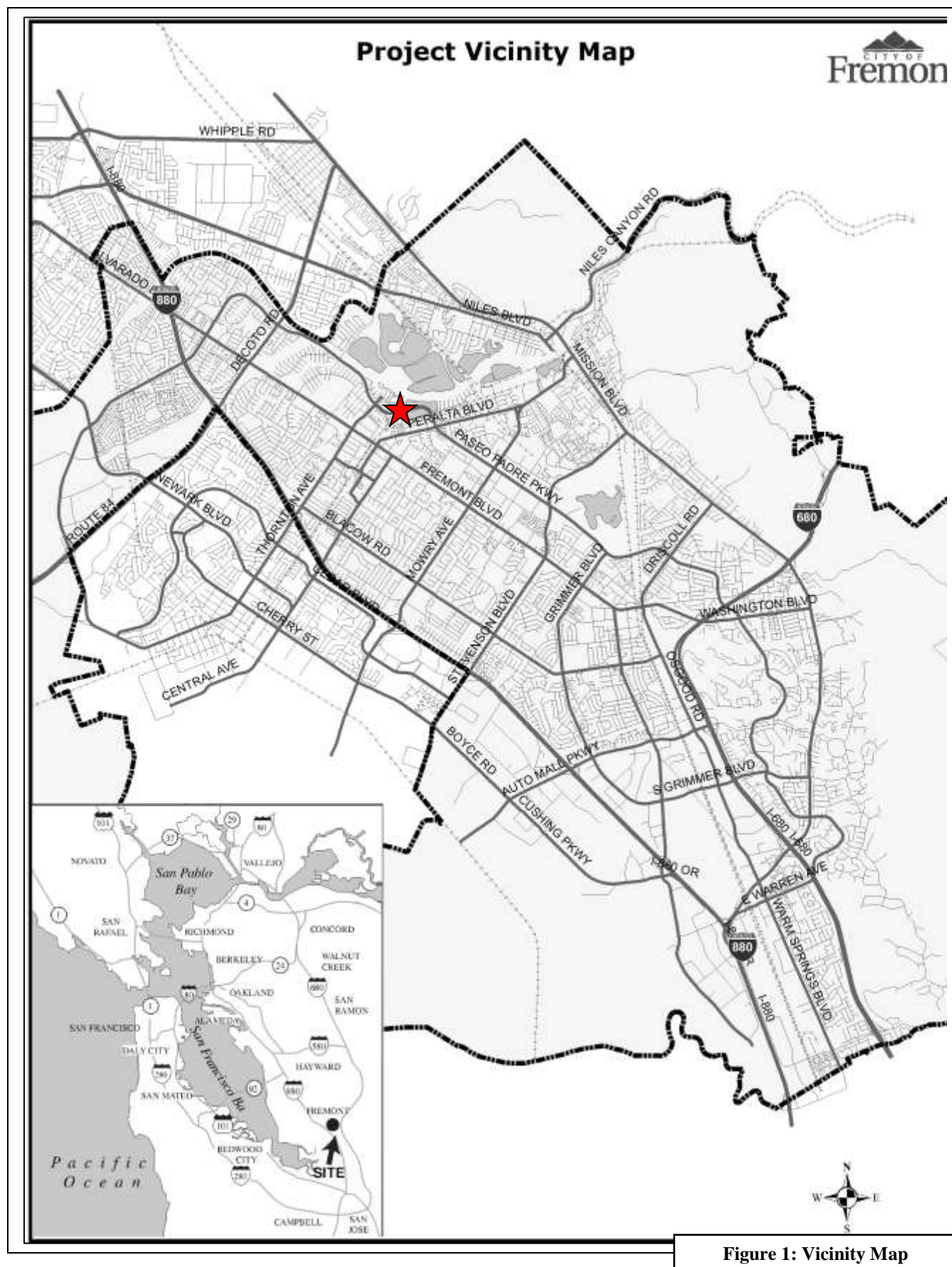
The properties to the west of the project site and across Sequoia Road consist of two multi-family residential developments on land with a General Plan Land Use designation of Medium Density Residential: a 50-unit apartment complex at the corner of Paseo Padre Parkway and Sequoia Road (Paseo Fremont Apartments) and a 248-unit condominium development on Sequoia Boulevard (Baywood Villas). To the northwest and north of the project site, across Paseo Padre Parkway, are two multi-family residential developments on land with a General Plan Land Use designation of Medium Density Residential: a 134-unit apartment complex (Vue Fremont Apartments) and a 480-unit condominium, 125-single-family home development (Creskide Village). To the northeast, across Paseo Padre Parkway from the proposed Project site, and to the east, adjacent to the proposed Project site, are two large ponds owned by the Alameda County Water District with a General Plan Land Use designation of Open Space – Resource Conservation and Public Open Space. The ponds (the pond to the north of Paseo Padre Parkway is referred to as “Pit T-1” and the pond to the south of Paseo Padre Parkway and adjacent (east) to the proposed Project site is referred to as “Pit T-2”), were formerly the site of a gravel quarry. Until 2009, the ponds were part of a diversion operation managed by ACWD that directed surface water from Alameda Creek into the ponds for the purpose of groundwater recharge. Since 2009, water from Alameda Creek is no longer diverted into Pit T-1 or Pit T-2. Now, the ponds are supplied by rainfall and infiltration from groundwater in adjacent soils. The surface height of the water in the ponds can fluctuate in elevation by up to fifteen feet throughout the year, reflective of the groundwater table. To the south of the project site is a narrow lot owned by ACWD, which runs between the Project site and the railroad and provides maintenance access to Pit T-2 (APN: 501-1310-21-9). Further to the south of the Project site is the Central Pacific Railway on land with a General Plan Land Use designation of Rail Road Corridor and, beyond that, on the opposite side of the railroad tracks is a single-family residential neighborhood on land with a General Plan Land Use designation of Low Density Residential.

- 10. Congestion Management Program - Land Use Analysis:** The project analysis must be submitted to the Alameda County Congestion Management Agency for review if “Yes” to any of the following:

<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	This project includes a request for a General Plan Amendment. If yes, send appropriate forms to Alameda County Congestion Management Agency.
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	A Notice of Preparation is being prepared for this project.
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	An Environmental Impact Report is being prepared.

- 11. Other public agencies requiring approval:** Alameda County Water District, Union Sanitary District

- 12. Other Previous Environmental Review:** Fremont General Plan Update EIR (SCH#2010082060)



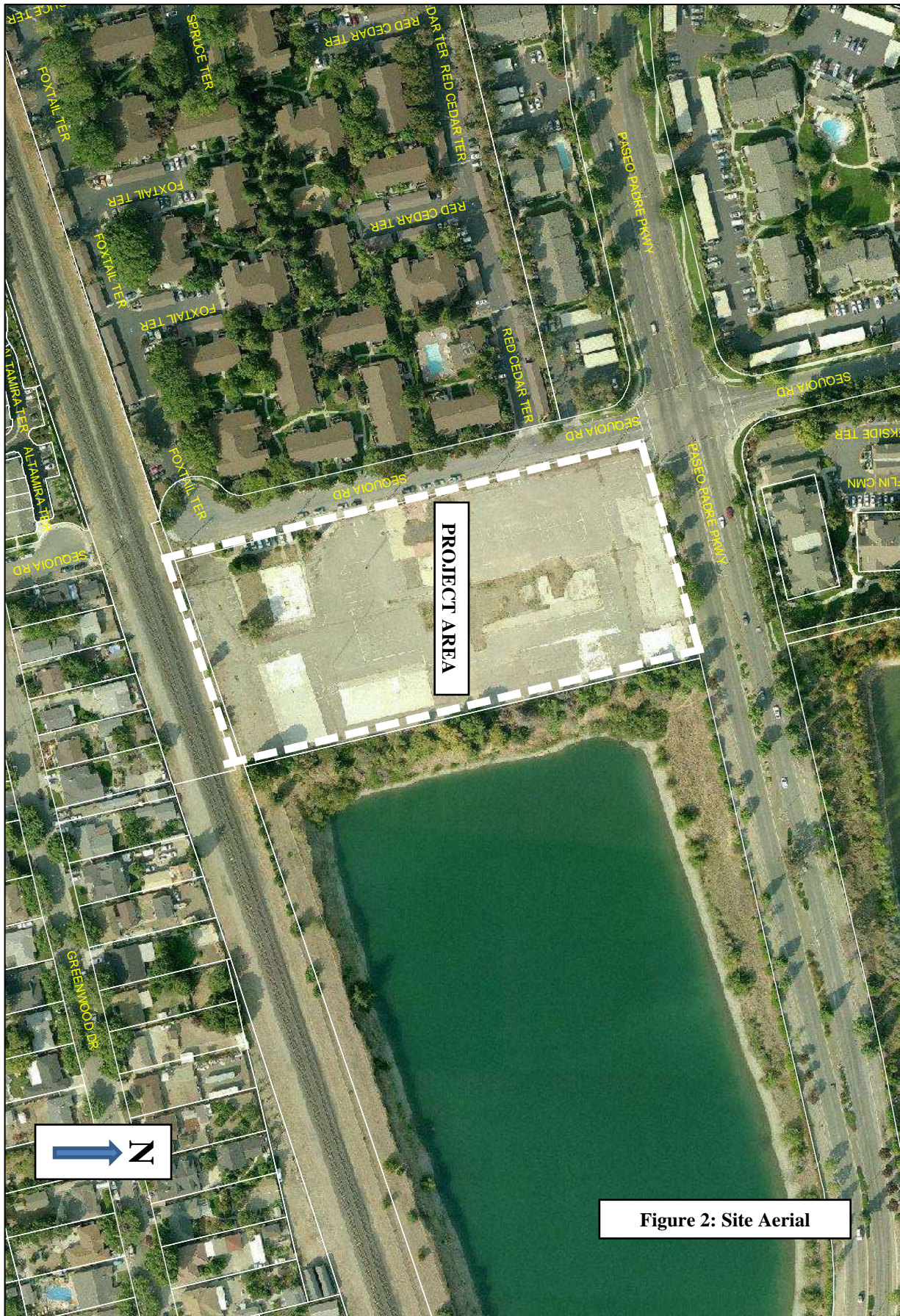


Figure 2: Site Aerial

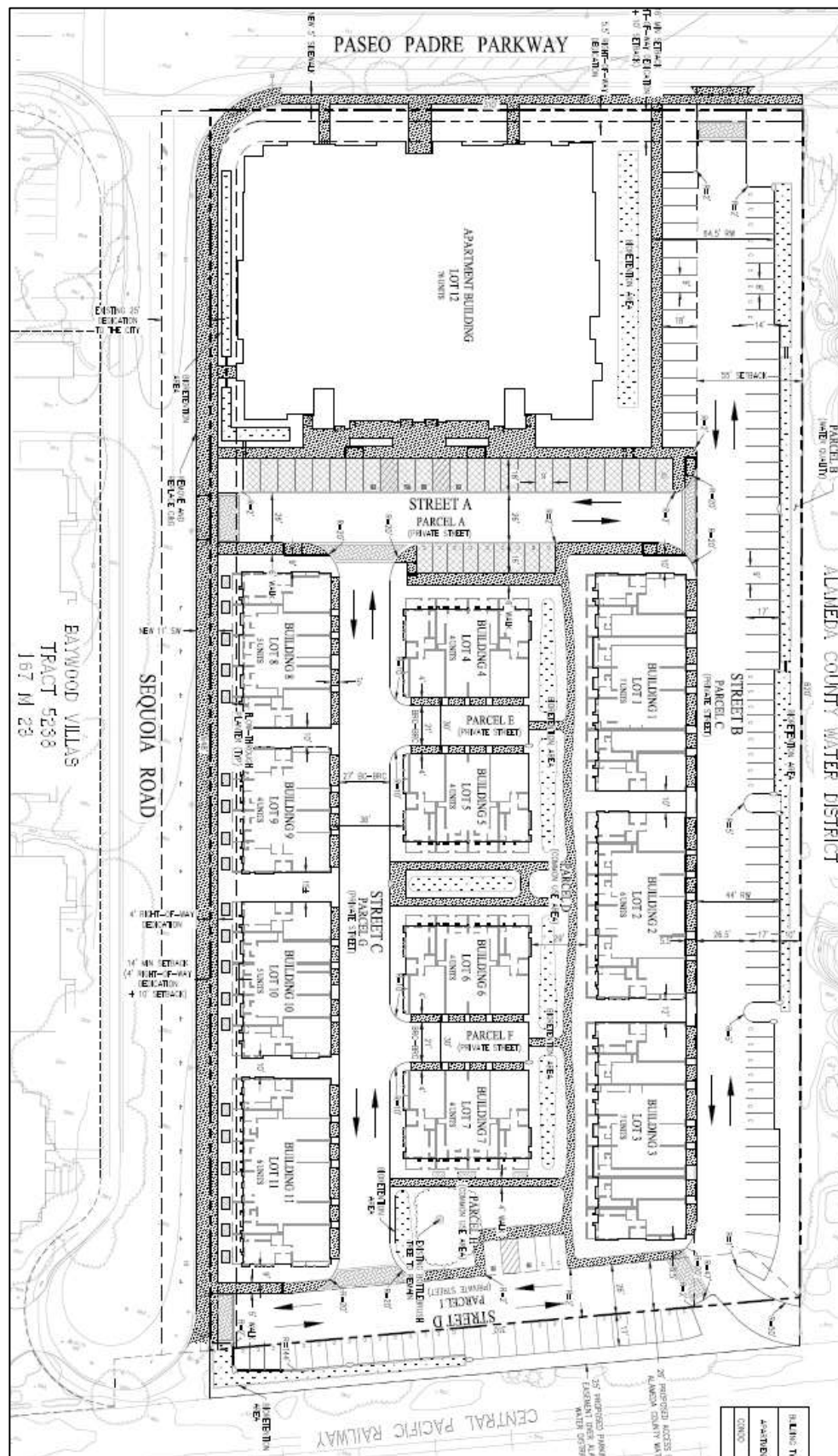


Figure 3: Conceptual Site Plan



SOUTH ELEVATION – FACING PROPOSED PRIVATE STREET AND PARKING



NORTH ELEVATION – FACING PASEO PADRE PARKWAY



WEST ELEVATION – FACING SEQUOIA ROAD

Figure 4: Conceptual Apartment Elevations



4-PLEX ITALIAN ELEVATION



6-PLEX SPANISH ELEVATION



7-PLEX ITALIAN ELEVATION

Figure 5: Conceptual Townhome Elevations



Figure 6: Conceptual Street Rendering

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The following list indicates the environmental factors that would be potentially affected by this Project. Those factors that are indicated as a "Potentially Significant Impact" in the initial study checklist are labeled "PS" while those factors that are indicated as a "Potentially Significant Unless Mitigation Incorporated" are labeled "M".

	Aesthetics		Agriculture and Forest Resources	M	Air Quality
M	Biological Resources	M	Cultural Resources		Geology / Soils
	Hazards & Hazardous Material		Hydrology / Water Quality		Land Use / Planning
	Greenhouse Gas Emissions		Mineral Resources	M	Noise
	Population / Housing		Public Services		Recreation
	Transportation / Traffic		Utilities / Service Systems	M	Mandatory Findings of Significance

DETERMINATION BY THE CITY OF FREMONT:

On the basis of this initial evaluation:

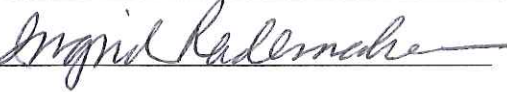
	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: 

Date: 7/7/2015

Printed Name: Bill Roth

For: City of Fremont

Planning Manager Review: 

I. AESTHETICS –

Environmental Setting

The City of Fremont General Plan classifies the segment of Paseo Padre Parkway in front of the proposed project site as a Landscape Corridor. Landscape Corridors are described as streets that carry traffic along attractive, well-landscaped parkways or avenues with limited ingress and egress. Currently, several tulip trees along Paseo Padre and a few large shrubs and bushes provide a parkway feel and also partially screen the project site. Along the Sequoia Road frontage, no street trees exist and views into the site reveal its previous use as a former municipal corporation yard stripped clean of buildings and surrounded by chain link fence. Beyond the site to the east are views of the foothills and ridgeline along the eastern edge of the City of Fremont. Adjacent to the east of the project site is a former quarry that has been filled with water and is maintained by the Alameda County Water District.

Regulatory Framework

Local regulations that pertain to the proposed project related to aesthetics include:

- City of Fremont General Plan Community Character Chapter (adopted December 2011)
- City of Fremont General Plan Community Plans Chapter (adopted December 2011)
- City of Fremont Municipal Code, Title 18, Planning and Zoning (Reformatted October 2012)

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Have a substantial adverse effect on a scenic vista?			X		1, 8, 11
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X	1, 8, 11
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?			X		1, 8, 11
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		1, 8, 11

Discussion/Conclusion/Mitigation

a-b) Would the project have a substantial adverse effect on a scenic vista? b) Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Paseo Padre Parkway is identified as a scenic route in the General Plan. The proposed project would replace tulip trees along Paseo Padre Parkway with a more suitable species that would require less water, to be selected by the City's Landscape Architect. The street trees would be planted to comply with City of Fremont standard details for street trees and would enhance and soften the view of the site from Paseo Padre Parkway.

Beyond the site to the east are views of the foothills and ridgeline along the eastern edge of the City of Fremont. As described in the General Plan, the significant scenic resources of Fremont include the backdrop to the east of the East Bay Hills rising up above the City. The proposed project, which would include one four-story apartment building and eleven three-story townhouse

buildings, would partially or wholly block some views to the ridgeline from Sequoia Road and several of the residential units located across Sequoia Road in the condominium development; however, portions of the wide ridgeline that naturally bounds the City would remain partially viewable to passersby through proposed paseos and driveway entries.

The proposed site is not located near a state scenic highway and would not damage scenic resources within a state scenic highway. As such, the Project would not substantially damage scenic resources. The site is currently vacant and was previously used as a municipal corporation yard. There are no historic buildings on the site.

Potential Impact: Less than Significant Impact

Mitigation: None Required

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

The proposed Project would involve the conversion of a former corporation yard with cracking pavement over a majority of the site and minimal landscaping and ruderal grasses with a new residential development with landscaping to be maintained by a Home Owner's Association (HOA), city-approved trees, and public right-of-way improvements along both public roads adjacent to the site. Views from Sequoia Road and Paseo Padre and from adjacent residential developments onto the site would be enhanced with the proposed project, which would also preserve a City Landmark bottle brush tree in its current location. Furthermore, the Project would include the planting of street trees, which would have a positive visual impact when viewed from adjacent properties and public roadways and would enhance the existing visual character of the site as a landscape corridor. For these reasons, the proposed Project would not substantially degrade the existing character or quality of the site or the surrounding area.

Potential Impact: Less than Significant

Mitigation: None Required

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The subject property currently contains no buildings, though it was previously used as a City of Fremont municipal corporation yard until 2005; therefore, construction of the proposed project would result in new sources of light in an area where lighting levels have been low in recent years. However, the City's Zoning Ordinance requires that all exterior light sources be designed so as not to create significant glare on adjacent properties through the use of concealed source and/or downcast light fixtures. Compliance with the exterior lighting requirements of the Zoning Ordinance would result in the project's having no significant lighting or glare impacts on adjacent properties.

As a part of the Project, street lights would remain along the south side of Paseo Padre and be replaced along the east side of Sequoia Road. The streetlights will conform to the City of Fremont standard detail SD-24 with a mounting height of 35 feet for the luminaire (<http://www.fremont.gov/235/Standard-Details>). The street lights and on-site lighting for the proposed project would be shielded and downward facing and would not create substantial light or glare on the subject property or adjacent residents and would not adversely affect views during the day or the night.

Potential Impact: Less than Significant
Mitigation: None Required

II. AGRICULTURE AND FOREST RESOURCES

Environmental Setting

Properties surrounding the proposed site are developed with residential units, with the exception of the ACWD pond to the east (Pit T-2), as previously described in this Initial Study. Neither the subject property nor the adjacent properties involve agricultural uses or farmland. The project site does not include forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526). The property is zoned for agricultural uses.

Regulatory Framework

State and local regulations that pertain to the proposed project related to agriculture and forest resources include:

- City of Fremont General Plan Conservation Chapter
- California Department of Conservation, Alameda County Farmland Map-Access via URL:
<ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2012/ala12.pdf>

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	1, 8, 20
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	1, 8, 20
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?				X	N/A
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				X	N/A
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X	N/A

Discussion/Conclusion/Mitigation

- a) **Would the proposed project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

According to the California Department of Conservation's 2012 Alameda County Farmland Map, the site is not Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, no impact would result. The area adjacent to the Project site has been developed with primarily residential uses.

Potential Impact: No Impact

Mitigation: None Required

- b-e) Would the proposed project conflict with existing zoning for agricultural use, or a Williamson Act contract? Would the proposed project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)? Would the proposed project result in the loss of forest land or conversion of forest land to non-forest use? Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

Neither the proposed Project area nor the adjacent lots include land with agricultural resources, lands that are zoned for agricultural uses, or lands under Williamson Act contract. The proposed Project would not result in the loss of forest land or the conversion of forest land to non-forest use. Therefore, no agricultural resource or forest resource impacts would result from the development of the Project.

Potential Impact: No Impact

Mitigation: None Required

III. AIR QUALITY

The following discussion is based in part on the *TAC and GHG Emissions Assessment* (November 2014), which was prepared for the Project by Illingworth & Rodkin, Inc.

Environmental Setting

The Project site is located within the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the regional government agency that monitors and regulates air pollution within the air basin. Both the Federal Clean Air Act and the California Clean Air Act require the California Air Resources Board (CARB), based on air quality monitoring data, to designate portions of the state where the federal or state ambient air quality standards are not met as "nonattainment areas." Because of the differences between the national and state standards, the designation of nonattainment areas is different under the federal and state legislation. The Bay Area is designated as an "attainment area" for carbon monoxide, nitrogen dioxide, and sulfur dioxide. The region is classified as a "nonattainment area" for both the federal and state ozone standards, although a request for reclassification to "attainment" of the federal standard is currently being considered by the U.S. EPA. The area does not meet the state standards for particulate matter; however, it does meet the federal standards.

The U.S. Environmental Protection Agency (EPA) and CARB have established ambient air quality standards for what are commonly referred to as "criteria pollutants," because they set the criteria for attainment of good air quality. Criteria pollutants include carbon monoxide, ozone, nitrogen dioxide, sulfur dioxide, and particulate matter (PM). Ozone and PM10 are considered regional pollutants, because their concentrations are not determined by proximity to individual sources, but show a relative uniformity

over a region. Carbon monoxide is considered a local pollutant, because elevated concentrations are usually only found near the source (e.g., congested intersections).

The BAAQMD defines sensitive receptors as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses (BAAQMD, 2012). Residential areas, day care centers, hospitals, and schools are some examples of sensitive receptors. The nearest sensitive receptors to the proposed Project site would be residents at the multi-family residential developments across Sequoia Road, across Paseo Padre Parkway, and the single-family residential development on the other side of the Central Pacific Railway, opposite the project site. The closest residential unit is located approximately 65 feet to the west of the proposed Project site, across Sequoia Road.

Regulatory Framework

Federal, state and local regulations that pertain to the proposed project related to air quality include:

- City of Fremont General Plan Conservation Chapter (Air Quality)
- Clean Air Plan: The City of Fremont uses the guidance established by the Bay Area Air Quality Management District (BAAQMD) to assess air quality impacts associated with project construction and operation based on criteria pollutants contained in the adopted *Clean Air Plan*. The *Clean Air Plan* focuses on improvement of air quality throughout the basin. A network of BAAQMD monitoring stations continually measures the ambient concentrations of these pollutants for reporting purposes. The closest of such monitoring station is #1014 at 40733 Chapel Way in Fremont. Ozone precursors and particulate matter are the primary air pollutants of concern for development projects. These include reactive organic gases (ROG), nitrous oxides (NO_x), and particulate matter (PM₁₀ and PM_{2.5}). Thresholds are whether a project would exceed the emissions of 10 tons per year or 54 lbs per day for ozone precursors. For TACs, the City of Fremont has established acceptable thresholds for new sources of increased risk of 10 chances in a million as defined by BAAQMD for their individual TAC emissions. However, for sensitive receptors within developed in-fill areas of the City (such as the residential uses proposed by the Project), the City uses the cumulative exposure threshold of 100 chances per million.¹
- Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Conflict with or obstruct implementation of any applicable air quality plan?			X		1, 21, 22, A
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X		1, 21, 22, A
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X		1, 21, 22, A
d.	Expose sensitive receptors to substantial pollutant concentrations?		X			1, 3, 6, 21, 22, A

¹ City of Fremont. *Fremont General Plan Update Final EIR*. September 2011.

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
e.	Create objectionable odors affecting a substantial number of people?			X		1, 3, 6

Discussion/Conclusion/Mitigation

a-d) Would the project conflict with or obstruct implementation of any applicable air quality plan? Violate any air quality standard or contribute substantially to an existing or projected air quality violation? Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? Would the project expose sensitive receptors to substantial pollutant concentrations?

In formulating its compliance strategies, Bay Area Air Quality Management District (BAAQMD) relies on planned land uses established by local general plans. When a project is proposed in a jurisdiction with a general plan in a manner consistent with that general plan, then it is also considered to be consistent with BAAQMD's *Clean Air Plan*. The proposed Project involves the development of 76 apartment and 57 townhouse residential units at a total project density of approximately 29 dwelling units per net acre, which is in conformance with the site's General Plan Land Use designation of Medium Density Residential (14.6 to 29.9 units per net acre). The 2011 General Plan EIR concluded that development projects consistent with the General Plan would not cause or contribute to a violation of the ambient air quality standard for carbon monoxide, and the impact would be considered less than significant.

The California Air Resources Board (CARB) has identified that people in the following categories are most likely to be affected by air pollution: children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. The closest off-site sensitive receptors to the project site are residences west of the project across Sequoia road. There are additional residences in the area to the west, north, and south at farther distances from the project construction site. It is assumed that the future resident population for the proposed Project would include sensitive receptors.

The City uses screening criteria developed by the BAAQMD to conservatively determine whether a proposed project could result in potentially significant air quality impacts. Projects that exceed the screening criteria could potentially exceed the thresholds of significance for GHG emissions, potentially resulting in significant adverse air quality impacts. The following table shows screening criteria for new apartment and townhouse developments for operational criteria pollutants, operational GHGs, and construction related emissions.

Table: Criteria Air Pollutants and Precursors and GHG Screening Level Sizes

Land Use	Operational Criteria Pollutant Screening Size	Operational GHG Screening Size	Construction Related Screening Size
Apartment, mid-rise	494 du (ROG)	87 du	240 du (ROG)
<u>>>Proposed Project</u>	<u>76 du</u>	<u>76 du</u>	<u>76 du</u>
Condo/townhouse, general	451 du (ROG)	78 du	240 du (ROG)
<u>>>Proposed Project</u>	<u>56 du</u>	<u>56 du</u>	<u>56 du</u>

As shown in the preceding table, and further analyzed in the *TAC and GHG Emissions Assessment* (November 2014), which was prepared for the Project by Illingworth & Rodkin, Inc., the proposed project would fall below the screening level sizes for Operational Criteria Pollutants, Operational Greenhouse Gas Emissions (GHG), and Construction-Related Criteria Pollutants, per Table 3-1, *Criteria Air Pollutants and Precursors and GHG Screening Level Sizes*, in BAAQMD's May 2011 CEQA Air Quality Guidelines and it would not result in operational or construction related emissions that would impact local or regional air quality standards. Based on the size of the proposed project, it would not result in operational or construction related emissions that would impact local or regional air quality standards. The Air Quality Analysis conducted for the project using CalEEMod substantiates that operational and construction-related pollutant emissions would be well below CEQA thresholds of significance.

TACs

For Toxic Air Contaminants (TACs), the City of Fremont has established acceptable thresholds for new sources and receptors of increased risk of 10 chances in one million as defined by BAAQMD for their individual TAC emissions. However, for sensitive receptors within developed in-fill areas, the City uses the cumulative exposure threshold of 100 chances per million (Fremont General Plan Update Final EIR, September 2011). The Project is considered in-fill in an already developed area of the City and therefore the cumulative exposure threshold of 100 chances per million would apply.

As described in the *TAC and GHG Emissions Assessment*, diesel exhaust is the predominant TAC in urban air and is estimated to represent about three quarters of the cancer risk from TACs (based on the Bay Area average. Review of the area around the proposed Project site indicates that there are roadways and rail lines within 1,000 feet of the site that could adversely affect new residences. There are no stationary sources of TAC pollutants, such as emergency generators or gas stations, within 1,000 feet of the project.

To identify the potential cancer risk from roadways, screening data provided by BAAQMD, including the Roadway Screening Analysis Table for Alameda County, was used in the *Assessment*. The estimated cancer risk from Paseo Padre Parkway, the nearest major street, would be 6.2 in one million at the project site, which would be below the 10 chances in one million threshold. To estimate the impact of railroad traffic along the Centerville rail line on cancer risk at the proposed Project site, the results of refined dispersion modeling in the Fremont General Plan Update DEIR were used in the *Assessment*. Based on results of modeling the Centerville line near the project (north of the Peralta Station), the excess cancer risk would be less than 10 in one million beyond 50 feet west of the rail line. As residences planned with the proposed project

would be located beyond 50 feet west of the rail line, the excess cancer risk is predicted to be less than 10 in one million.

Operation of this residential project is not considered a source of TAC emissions and, as a result, the project operation would not cause emissions that expose sensitive receptors to unhealthy air pollutant levels. As discussed in the *Assessment*, the sum of impacts from cumulative sources (i.e., sources within 1,000 feet of the project) would be below the threshold of 100 in one million used by the City.

GHGs

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. The BAAQMD May 2011 CEQA Guidelines included GHG emissions-based significance thresholds. These thresholds include a "bright-line" emissions level of 1,100 metric tons per year for land-use type projects and 10,000 metric tons per year for stationary sources. Land use projects with emissions above the 1,100 metric ton per year threshold would then be subject to a GHG efficiency threshold of 4.6 metric tons per year per capita. Projects with emissions above the thresholds would be considered to have an impact, which, cumulatively, would be significant.

As provided in the *Assessment*, GHG emissions associated with construction of the proposed project were computed to be 452 MT of CO₂e, anticipated to occur over the entire construction period. These are the emissions from on-site operation of construction equipment, vendor truck trips, and worker trips. BAAQMD does not have an adopted Threshold of Significance for construction-related GHG emissions, however, BAAQMD recommends quantifying emissions and disclosing that GHG emissions would occur during construction. BAAQMD also encourages the incorporation of best management practices to reduce GHG emissions during construction where feasible and applicable. Best management practices will be incorporated with the project, as a standard project condition. These include conformance with the California Green Building Code and the City's requirement that 50% of the project's construction and demolition debris be recycled.

In regard to GHG emissions, the *Assessment* indicates that, in 2017, annual emissions resulting from operation of the proposed project are predicted to be 1,128 MT of CO₂e. These emissions would exceed the BAAQMD threshold of 1,100 MT of CO₂e/yr and, therefore, the GHG efficiency threshold was used to assess project impacts. As shown in the proceeding table, project service population emissions would be 2.8 MT of CO₂e/year/service population, which is below the BAAQMD significance threshold of 4.6 MT. Therefore, this would be a less than significant impact.

Table: Annual Project GHG Emissions (CO₂e) in Metric Tons

Source Category	2017 Project Emissions
Area	8
Energy Consumption	193
Mobile	878
Solid Waste Generation	28
Water Usage	21
Project Total	1,128
Service Population Emissions	2.8
BAAQMD Threshold	4.6 MT CO ₂ e/year/S.P.

Note: Based on a project service population of 406 future residents. S.P. = service population

Construction

Though the proposed project would fall below the Construction Criteria Pollutant Screening Sizes, per Table 3-1 Criteria Air Pollutants and Precursors and GHG Screening Level Sizes in BAAQMD's May 2011 CEQA Air Quality Guidelines, the proposed Project would include construction activity over an approximately 13-month period and this activity would generate dust and equipment exhaust on a temporary basis. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are employed to reduce these emissions. Mitigation Measure Air-1 would implement BAAQMD best management practices for temporary construction emissions control.

The proposed Project would not involve extensive material transport (e.g., greater than 10,000 cubic yards of soil import/export) requiring a considerable amount of haul truck activity. The proposed Project would include the excavation of existing concrete slabs and associated foundations and the removal of asphalt. Approximately 2,000 cubic yards of material would be exported from the site, which is below the 10,000 cubic yard threshold established by BAAQMD. To create a flat building surface and facilitate effective drainage of stormwater to proposed bioretention areas, approximately 15,000 cubic yards of soil on site would be cut, to a depth of approximately 1.5 feet, and shifted around the site. As such, the proposed Project would not involve extensive material transport off-site.

Impact Air-1: The project would generate a temporary increase in emissions from truck traffic and diesel-powered heavy equipment near sensitive receptors. The temporary effects of grading activities could cause airborne dust during construction if not managed through conventional dust control methods. [Less than Significant with Mitigation Incorporated]

Mitigation Measure: The BAAQMD CEQA Air Quality Guidelines consider short-term construction impacts from construction pollutants (dust and emissions) less than significant if best management practices are employed to reduce these emissions. Implementation of Mitigation Measure Air-1, below, would reduce impacts associated with particulate matter (fugitive dust emissions) from project construction activities to a less-than-significant level:

MM Air-1: Temporary Construction Emissions. Prior to the issuance of a grading permit, the following best management practices shall be included in a dust control plan to limit fugitive dust emissions and noted on the grading and construction plans along with the contact information for a designated crew member responsible for the on-site implementation of the dust control plan:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered twice per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the

California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.

7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the City of Fremont regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

e) Would the project create objectionable odors affecting a substantial number of people?

As a residential land use, the project would not create objectionable odors, once construction is completed; however, the proposed project would generate odor from localized emissions of diesel exhaust during grading and construction activities due to equipment and truck operations. These odors may be noticeable from time to time by nearby receptors; however, the odors would be temporary and would not affect a substantial number of people. Mitigation Measures Air-1 would further reduce potential impacts through reduced idling times for equipment. The project includes adequate solid waste storage area and is required to comply with the City's solid waste management regulations, which include policies to reduce potential odor impacts from solid waste. As such, the project would not create objectionable odors affecting a substantial number of people.

Potential Impact: Less than Significant

Mitigation: None required

IV. BIOLOGICAL RESOURCES

Environmental Setting

The following discussion is based in part on a *Biological Reconnaissance Study*, which was prepared to evaluate the potential occurrence of special status species and sensitive habitats, dated June 10, 2015, by LSA Associates, Incorporated (LSA). The study encompassed the proposed Granite Ridge project site at 37350 Sequoia Road (APN: 501 131000902) and a 25-foot easement area to the south (on a narrow portion of APN: 501 131002109), which is located between 37350 Sequoia Road and the railroad to the south and the adjacent westerly bank of Alameda County Water District property (APN: 501 131001008, "Pit T-2") located to the east of the project site. Discussion related to trees is based in part on a *Tree Inventory Report*, dated October 2014, prepared for the Project by HortScience, Inc., and the *Biological Reconnaissance Study*.

The proposed Project site, which previously served as a municipal corporation yard, is mostly paved. Less than ten percent of the site, located where buildings and structures associated with the previous corporation yard use once stood, holds minimal ruderal (weedy) vegetation and bare soil. As the site lacks suitable habitat, wildlife values for the site are low.

Regulatory Framework

Federal, state, and local regulations that pertain to the proposed project related to biological resources include:

- City of Fremont General Plan, Conservation Chapter
- City of Fremont Tree Preservation Ordinance
- Federal Migratory Bird Treaty Act
- California Department of Fish and Wildlife Code
- U.S. Fish and Wildlife Service laws and requirements
- Alameda County Flood Control District laws and requirements

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X		1, 8, B
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X		1, 8, B
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	1, 8, B
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X			1, 8, B
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		1, 3, 8, B, C
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	1, 8

Discussion/Conclusion/Mitigation

a-d) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? Would the project interfere substantially with

the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The proposed Project site is predominantly paved with asphalt, as it previously served as a City of Fremont municipal corporation yard and held parking and several small buildings associated with that use. The buildings and structures were previously removed from the site, leaving several unpaved patches within the larger, paved parking lot that now contain limited ruderal vegetation and bare, compacted soil. Sensitive natural communities such as riparian habitat are absent from the project site.

As discussed in the *Biological Reconnaissance Study*, LSA, the biological resources consultant, reviewed the California Native Diversity Database (CNDDB; CDFW, May 2015) and other relevant sources to identify potential occurrences of special-status plant and wildlife species and habitats on and adjacent to the project site and the adjacent Pit T-2. The CNDDB lists four special-status species with potential to occur on or in the vicinity of the project site. These species are slender-leaved pondweed (*Stuckenia filiformis* ssp. *alpine*), central California coast DPS steelhead (*Oncorhynchus mykiss irideus*), Alameda whipsnake (*Masticophis lateralis euryxanthus*), and California black rail (*Laterallus jamaicensis coturniculus*). On June 8, 2015, an LSA biologist conducted a reconnaissance-level field survey of the site, assessed biological resources, and identified potential constraints to the development of the site. As discussed in the study, there is no habitat for any of these species within the area proposed for development on the project site or Pit T-2.

As discussed in the study, both the project site and Pit T-2 show signs of heavy disturbance and are not connected to any undisturbed or natural areas that provide habitat for special-status species. The parcels are located in a developed residential area and are located between several high frequency traffic corridors, such as Paseo Padre Parkway and Peralta Avenue. In conclusion, with the exception of the protected trees identified in the arborist's report, which will be mitigated according to the City's tree ordinance, no other biological resources are present on the site. Therefore, there will be no impacts to sensitive natural communities and mitigation is not warranted.

The proposed project will require grading, excavation, and vegetation removal, thereby resulting in the project site becoming vulnerable to erosion. Eroded soil is generally carried as sediment in surface runoff to be deposited in natural creek/river beds, canals, and adjacent waters. To avoid or minimize sedimentation to offsite waters, the applicant will be required to develop an erosion control plan as a condition of approval. The applicant must also comply with standard erosion control measures that employ best management practices (BMPs), develop a Stormwater Pollution Prevention Plan (SWPPP) per State Water Quality Control Board Stormwater Permit requirements, and conform with the City of Fremont's Storm Water Management and Discharge Control Municipal Code, Title VII, Chapter 11. Implementation of the above listed requirements and conditions would reduce impacts to downstream waters from erosion and polluted stormwater runoff to a less than significant level.

Existing trees on-site and the street trees that would be replaced along the proposed Project site's frontage on Paseo Padre Parkway could potentially provide nesting habitat for some species of migratory and otherwise-protected birds. Active bird nests are protected by the federal Migratory Bird Treaty Act and the California Department of Fish and Wildlife (CDFW). Breeding migratory birds could construct nests within the study area in ruderal vegetation and trees or shrubs. A significant impact would consist of the mortality of adults or young (including abandonment of

nest with eggs or young) and harassment of migratory birds during construction. The following mitigation measures would reduce this impact to less than significant.

Nesting Migratory Birds

Impact Bio-1: Removal of trees, as is proposed with the project, or the undertaking of construction activities around them could result in the abandonment of nesting efforts of migratory and/or otherwise-protected birds. Site development during nesting season (February 1 through August 31) could result in the abandonment of an active nest. The mortality of individuals that may result would constitute a significant adverse impact of the project.

Mitigation Measure: Implementation of Mitigation Measure Bio-1, below, would reduce impacts to any nesting birds to a less-than-significant level. [Less than Significant with Mitigation Incorporated]

MM Bio-1: Pre-Construction Surveys. If project-related activities are scheduled to occur during the nesting season (February 1 through August 31 for protected raptors and migratory birds), a focused survey of the work area for active nests of such birds shall be conducted by a qualified biologist within 15 days prior to the beginning of any project-related activities. If a lapse in the project related work of 15 days or longer occurs during the nesting season, another focused survey shall be required before project work can be reinitiated. If an active nest is found, the permittee (applicant or developer) shall establish a buffer area that surrounds the nest location. The width of the buffer shall be determined by the survey biologist and shall be dependent on the location of the nest and the affected species. No project-related work or activities shall be permitted within the buffer area until the biologist has determined the nest is no longer active. The final determination shall be made by the City of Fremont Planning Manager upon receipt of the biologist's recommendation.

The developed and ruderal areas of the site where the proposed project will occur do not constitute a movement corridor for native wildlife. Creeks and riparian habitat are absent from the project site. Site development will have little effect on home range and dispersal movements of native wildlife moving through the site, as the site is fenced and provides minimal, if any, suitable habitat. Therefore, this project will result in a less than significant effect on regional wildlife movements.

- e-f) **Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

The project is required to conform to the City of Fremont's Tree Preservation Ordinance and Storm Water Management and Discharge Control Ordinance. The applicant will be responsible for conforming to these two ordinance requirements and applying for any necessary permits. Adherence to Ordinance requirements would reduce potential impacts to less than significant.

A tree survey was conducted for the property by Hort Science in October 2014, which identified 14 trees on the project site that are of a size and species subject to the tree removal mitigation requirements of the City of Fremont Tree Preservation Ordinance. One of the trees, a bottle brush tree, which was designated as a Landmark tree by the City of Fremont on June 19, 2012, will be preserved in place. The other 13 trees would be removed to facilitate the development of the

proposed project. As a part of the project, seven Tulip Trees (street trees) located in planter strips along the public right of way on Paseo Padre Parkway will be replaced with trees deemed more suitable for the location, to the satisfaction of the City's Landscape Architect.

The removal of protected trees is subject to requirements involving the planting of replacement trees or the payment of in-lieu fees to mitigate the removal of trees that cannot be replaced on-site due to land area constraints, in accordance with the mitigation requirements of the City's Tree Preservation Ordinance. The proposed project would include the planting of approximately 40+ trees on the project site. Additionally, as part of the public right of way improvements included with the project, the seven tulip trees (street trees) located in planter strips adjacent to Paseo Padre Parkway would be replaced with more suitable tree species that demand less water, as to be determined by the City's Landscape Architect.

As a condition of project approval, the applicant will be required to adhere to the Tree Preservation Guidelines outlined in the *Tree Inventory Report*, including those prohibiting work within a designated tree protection zone at or beyond the drip lines of trees to be preserved, which would further reduce potential impacts to trees from development.

There are no draft or adopted Habitat Conservation Plans for the project area at this time.

Potential Impact: Less than Significant

Mitigation: None Required.

V. CULTURAL RESOURCES

Environmental Setting

The subject property is located at the southeastern corner of Sequoia Road and Paseo Padre Parkway in the Centerville Community Plan Area and approximately 900 feet to the south of Alameda Creek.

Prior to the arrival of Europeans in California, the Fremont area was occupied by the Ohlone (also known as Costanoan and as the Muwekma) Indians. The Ohlone were hunters and gatherers, as were many of the California Indian tribes. Generally, there are sites which were historically favored for human habitation and resources procurement, and which are of high archaeological sensitivity. These sites include flat to gently sloping terrain near water sources. Areas of moderate archaeological sensitivity have been characterized by low-lying terrain subject to seasonal flooding, gentle to moderate slopes, intermittent water sources, ridgelines, and the bases of hills. Usually, seasonal or task specific activities took place in such settings. Areas of low archaeological sensitivity include those which are characterized by continuously inundated terrain, steep slopes, or no water. Former village sites are located in Mission San Jose, at Tyson's Lagoon, and near the intersection of Curtner Road and Mission Boulevard.

Three years after California attained statehood in 1850, Alameda County was created and subdivided into six townships, including Washington Township (which encompassed the present-day cities of Fremont, Newark and Union City). By the 1870's, Washington Township supported a large-scale agricultural economy, and several towns: Alvarado, Centerville (later Centerville), Mission San Jose and Washington Corners (later Irvington). The town of Centerville was located in the center of Washington Township, and on the northern part of the old Mission San Jose land grant.

Native American Tribal Resources

No tribal resources have been identified on the Project site.

Regulatory Framework

State and local regulations that pertain to the proposed project related to cultural resources include:

- City of Fremont General Plan Land Use Chapter (Historic Resources)
- Fremont Municipal Code, Title 18, Planning and Zoning (Reformatted October 2012), Section 18.175 Historic Resources

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X	1, 28, 29
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X			1, 11, 28, 29
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			1, 11, 28, 29
d.	Disturb any human remains, including those interred outside of formal cemeteries?		X			1, 11, 28, 29

Discussion/Conclusion/Mitigation

- a) **Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**

The proposed Project site contains no buildings or structures. No historical resources as defined in §15064.5 have been identified on the project site.

Potential Impact: No Impact

Mitigation: None

- b-d) **Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? Would the project disturb any human remains, including those interred outside of formal cemeteries?**

The Project will largely be constructed in disturbed soils and has low probability of encountering buried archaeologic cultural resources. The entire project site was previously disturbed due to the grading and paving to create the parking area and building pads for the previous municipal corporation yard use. Excavation related to the removal of existing concrete slabs and associated foundations, removal of asphalt, and grading and flattening of the proposed site would occur up to approximately 1.5 feet in depth with excavation up to approximately 4 feet in depth at proposed stormwater management areas.

No Native American tribal, archaeological, or paleontological resources have been identified previously during development or cleanup of the site and, as such, the proposed Project is unlikely to disturb such resources. The mitigation measures provided below would ensure the Project would avoid or substantially reduce impacts from ground disturbance to tribal, archaeological, or paleontological resources, should any be discovered during excavation activities during the construction of the proposed Project.

Although the Project is unlikely to disturb archaeological deposits, human remains, Native American tribal resources, or paleontological resources, the following mitigation measures would ensure the Project would avoid or substantially reduce impacts from ground disturbance to archaeological deposits, human remains, and paleontological resources during construction.

Potential Impact Cult-1: Construction of the proposed Project could result in impacts to buried cultural resources or paleontological resources should they be discovered on site. [Less than Significant with Mitigation Incorporated]

Mitigation Measure: Although there is no indication that cultural resources are present on the site or in the immediate vicinity, there is always a possibility that unknown resources could be discovered during Project construction. Implementing the following measures would reduce Impact Cult-1 to a less than significant level:

MM Cult-1.1: Discovery of Archaeological Resources. If deposits of prehistoric or historical archaeological materials are discovered during Project activities, all work within 50 feet of the discovery shall be redirected. Project personnel shall not collect or move any archaeological materials. A qualified archaeologist shall be contacted to assess the situation and consult with agencies as appropriate, including the City of Fremont. The archaeologist shall make recommendations for the treatment of the discovery. Adverse effects to archaeological deposits shall be avoided by Project activities, if feasible. If avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the National Register of Historic Places and the California Register of Historical Resources (PRC §21084.1; CEQA Guidelines §15064.5(c)(1)), or whether the deposit qualifies as a “unique archaeological resource” under CEQA. If the deposit is neither eligible for the National or California registers nor a unique archaeological resource, avoidance is not necessary. If the deposit is eligible or qualifies as a unique archaeological resource under CEQA, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to, excavation of the deposit in accordance with a data recovery plan and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and significance of the archaeological site and associated materials; and, if appropriate, adding the historic archaeological material and technical report to an archaeological repository. Educational public outreach may also be appropriate. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results of resource evaluation and mitigation efforts. The report shall be submitted to the Northwest Information Center at Sonoma State University.

MM Cult-1.2: Discovery of Human Remains. If human remains are discovered during Project activities, the procedures outlined in Section 7050.5 of the California Health and Safety Code shall be implemented. Work within 50 feet of the discovery shall be redirected and the Alameda County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate, including the City of Fremont Planning Department. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this

identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

MM Cult-1.3: Discovery of Paleontological Resources. In the event of the discovery of Paleontological resources during construction or demolition, there shall be no further excavation or disturbance of the site within a 50 foot radius of the location of such discovery until it can be evaluated by a qualified archeologist or paleontologist. Work shall not continue until the archeologist or paleontologist conducts sufficient research and data collection to make a determination as to the significance of the resource. If the resource is determined to be significant and mitigation is required, the first priority shall be avoidance and preservation of the resource. All feasible recommendations of the paleontologist shall be implemented. Mitigation may include, but not limited to, in-field documentation and recovery of specimens, laboratory analysis, preparation of a report detailing the methods and findings of the investigation, and curation at an appropriate paleontological collection facility.

VI. GEOLOGY AND SOILS

The following discussion is based in part on the following documents.

- *Geotechnical Slope Stability Investigation, City of Fremont Corporation Yard* by Cotton, Shires & Associates – August 2005
- *Geotechnical Investigation on Granite Ridge Proposed Residential Development* by T. Makdissy Consulting, Inc. – December 10, 2014
- *Geotechnical Peer Review* – Correspondence between City Engineering Staff and Peer Reviewer (Geo-Logic Associates) and City Engineering Staff and T. Makdissy Consulting, Inc. – April-June 2015.

Environmental Setting

The City of Fremont is subject to fault rupture and related seismic shaking from several faults in the area. According to the 2004 State of Geologic and Seismic Hazard Zones map, a portion of the Project site, nearest the former quarry site to the east, is located in an area susceptible to earthquake-induced landslide. Furthermore, as with any land in the San Francisco Bay Area, the Project site could be subject to strong shaking during a major seismic event.

The proposed Project would include the excavation of existing concrete slabs and associated foundations and the removal of asphalt from the former corporation yard parking area. Approximately 2,000 cubic yards of material would be exported from the site. To create a flat building surface and facilitate effective drainage of stormwater to proposed bioretention areas, up to approximately 15,000 cubic yards of soil on site would be cut and shifted around the site.

Regulatory Framework

State and local regulations that pertain to the proposed project related to geology and soils include:

- City of Fremont General Plan Safety Chapter (Seismic and Geologic Hazards)
- City of Fremont Municipal Code (Building Safety)
- California Building Code (2013)

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X	1, 5, 6, D, E, F
	ii) Strong seismic ground shaking?			X		1, 5, 6, D, E, F
	iii) Seismic-related ground failure, including liquefaction?			X		1, 5, 6, D, E, F
	iv) Landslides?			X		1, 5, 6, D, E, F
b.	Result in substantial soil erosion or the loss of topsoil?				X	1, 5, 6, 8, D, E, F
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?			X		1, 5, 6, D, E, F
d.	Be located on expansive soil, as defined in California Building Code, creating substantial risks to life or property?			X		1, 5, 6, D, E, F
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X	N/A

Discussion/Conclusion/Mitigation

a-e) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving a major seismic event? Would the project result in substantial soil erosion or the loss of topsoil? Would the project be located on a geologic unit or soil that is unstable or would become unstable as a result of the project, and potentially result in on-site or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? Would the project be located on expansive soil, as defined in the California Building Code, creating substantial risks to life or property?

According to the 2004 California State Geologic and Seismic Hazard Zones maps, a portion of the project site along the eastern border adjacent to the former quarry site is located in an area susceptible to earthquake-induced landslide. Also, as with any new project constructed in the San Francisco Bay Area, the development could be subject to strong ground shaking during a major seismic event.

A geotechnical report (*Slope Stability Investigation*) was conducted for the site by Cotton, Shires & Associates in August 2005. The report provides an evaluation of slope stability conditions along the eastern side of the site and setback delineations and conceptual mitigation alternatives. As shown in figures within the report, areas of slope instability range from 0 to 55 feet inward (westward) of the eastern property line shared with the adjacent former quarry site to the east. All buildings proposed with the Project would be placed outside of areas of slope instability.

Another geotechnical report was done specifically for the proposed Project (*Geotechnical Investigation on Granite Ridge Proposed Residential Development*) by T. Makdissy Consulting, Inc. in December 2014. The report concludes: "The most prominent geotechnical feature of the site is that of seismic shaking. Design parameters contained in the CBC Earthquake Design Criteria section should be used in the structural design." The report also recommends removal of all existing concrete slabs, underground utilities, foundations, and pavements as part of site preparation prior to the construction of the proposed Project.

A peer review (*Peer Review Letters*) of the *Geotechnical Investigation* was conducted by the City's peer-reviewer, GeoLogic Associates, between April and July 2015. The Peer Review concludes that the Project geotechnical report and additional submittals by the applicant's geotechnical engineering consultant adequately address the seismic hazards that potentially impact the site and the report recommendations are generally acceptable for use in the design of the proposed site improvements.

Geotechnical Plan Review and Geotechnical Field Inspection will be performed for the proposed Project. Both are standard project requirements for a project such as that proposed and are, therefore, not mitigation measures. Both standard project requirements will be incorporated into the Conditions of Approval for the proposed project. Based on the results of the geotechnical study and subsequent peer review, the proposed Project would not create significant impacts related to Geology and Soils.

Standard Project Requirements

1. Geotechnical Plan Review. The Project Geotechnical Consultant shall review all geotechnical aspects of the project building and grading plans (i.e., site preparation and grading, site drainage improvements, and design parameters for foundations, and retaining walls). The consultant shall verify that their recommendations have been properly incorporated into the construction plans. The results of the plan review shall be summarized by the geotechnical consultant in a letter and submitted to the City Engineer prior to issuance of building permits.
2. Geotechnical Field Inspection. The Project Geotechnical Consultant shall inspect, test (as needed), and approve all geotechnical aspects of project construction. The inspections shall include, but not necessarily be limited to: site preparation and grading, site surface and subsurface drainage improvements, and excavations for foundations and retaining walls prior to the placement of steel and concrete. The results of these inspections and the as-built conditions of the project shall be summarized by the Project Geotechnical Consultant in a letter and submitted to the City Building Official /City Engineer for review prior to final (as-built) project approval.

All grading, foundations, and structures for the proposed project are required to be engineered and designed in conformance with applicable geotechnical and soil stability standards as required

by the 2013 California Building Code (CBC). Conformance to the applicable 2013 CBC standards will reduce safety impacts to the structures, their occupants, and the adjacent properties to a less-than-significant level.

Furthermore, an erosion control plan will be required with plans submitted for grading and/or building permits to ensure that the project will not result in substantial soil erosion or loss of topsoil during grading and construction activities. As such, impacts associated with geology and soils will be less than significant, and no mitigation is required.

Potential Impact: Less than Significant

Mitigation: None Required

VII. GREENHOUSE GAS EMISSIONS –

Environmental Setting

With the passage of the Global Warming Solutions Act of 2006 (Assembly Bill 32), the State of California acknowledged the role of greenhouse gases (GHG) in global warming and took action to reduce GHG emission levels. AB 32 set a Statewide goal of reducing GHG emissions to 1990 levels by the year 2020. In doing so, it contemplated economic expansion and growth of population to 44 million people by 2020. It also called for the State's Air Resources Board (CARB) to prepare a Scoping Plan encompassing all major sectors of GHG emissions for achieving reductions consistent with AB 32's goals. The Scoping Plan, adopted in December 2008, creates an overarching framework for meeting the GHG reduction goal of returning to 1990 emissions levels by 2020.

GHG emissions analysis uses carbon dioxide equivalents (CO₂e), measured in metric tons, to adjust for the different warming potential of a wide range of greenhouse gases, not just exclusively CO₂. The State 2005 GHG emission inventory was 479 million metric tons of CO₂e. CARB projected that under business-as-usual conditions (no reduction effort) GHG emissions would grow to 596.4 million metric tons of CO₂e by the year 2020. According to the Scoping Plan, reducing GHG emissions to 1990 levels requires cutting approximately 30 percent from the business-as-usual emission levels projected for 2020, or about 15 percent from 2010 levels. The target amount for the 2020 goal is an emission level of no more than 427 million metric tons of CO₂e (the 1990 levels). On a per capita basis, this means reducing current annual emissions of 14 tons of CO₂e for every person in California down to about 10 tons per person by 2020. The City of Fremont GHG emission inventory estimate for 2010 was 1.99 million metric tons with a service population of jobs and residents of 304,489.

Regulatory Framework

State and local regulations that pertain to the proposed project related to GHG emissions include:

- City of Fremont General Plan Sustainability and Conservation Chapters
- State Assembly Bill (AB) 32
- California Green Building Code (Mandatory)

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		1, 3, 8, 21, 22,

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
						23, A
b.	Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				X	1, 3, 8, 21, 22, 23, A

Discussion/Conclusion/Mitigation

- a-b) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?**

Because of the broad context and setting of the potential impacts of contributing to global climate change, the assessment of project-level emissions looks at whether a project's emissions would significantly affect the ability of the State to reach its AB 32 goals. This is identified within the City's General Plan Conservation Chapter and certified Environmental Impact Report (EIR) as the context for reviewing project effects and global climate changes. The General Plan EIR established analysis considering the projected increase in emissions from new growth through the year 2020. As shown in the table below, the project attributes of the proposed residential project are below the screening criteria established by the BAAQMD as a conservative estimate as to whether a project would exceed the 1,100 MT of CO₂e/year threshold of significance for projects other than stationary sources. The *Air Quality Assessment* prepared for the Project conducted modeling using CalEEMod to determine GHG emissions associated with Project vehicle trips. Projected emission levels would be below the BAAQMD significance threshold of 4.6MTCO₂e/year per service population.

Table: Criteria Air Pollutants and Precursors and GHG Screening Level Sizes

Land Use	Operational Criteria Pollutant Screening Size	Operational GHG Screening Size	Construction Related Screening Size
Apartment, mid-rise	494 du (ROG)	87 du	240 du (ROG)
>>Proposed Project	<u>76 du</u>	<u>76 du</u>	<u>76 du</u>
Condo/townhouse, general	451 du (ROG)	78 du	240 du (ROG)
>>Proposed Project	<u>57 du</u>	<u>57 du</u>	<u>57 du</u>

Project construction could generate GHG emissions resulting from construction equipment and grading and paving activities. However, no significant soil export is expected to occur that would involve extensive transport. As previously discussed in the Air Quality section of this Initial Study, approximately 2,000 cubic yards of soil would be exported from the project area, which is well below the volume criteria suggested by the BAAQMD as resulting in a less than significant impact. Implementation of Mitigation Measure AIR-1 would reduce construction related impacts. Additionally, the project would also implement Best Management Practices, such as the recycling of construction materials in compliance with the City's waste diversion ordinance. As a result, impacts related to GHG emissions would be less than significant.

Potential Impact: Less than Significant
Mitigation: None Required

VIII. HAZARDS AND HAZARDOUS MATERIALS –

This discussion is based in part on the *Closure Report for Former Corporation Yard 37350 Sequoia Road, Fremont, California*, prepared by The Consulting Group, dated April 2008.

Environmental Setting

The proposed Project site previously served as a City of Fremont municipal corporation yard, which was closed in 2005. The Consulting Group (TCG) was retained by the City of Fremont – Development & Environmental Services (City) to perform the closure of the site, with regard to the removal and remediation of hazardous materials. Prior to the actual closure, TCG performed the following tasks:

- Phase I Environmental Site Assessment
- Asbestos survey of buildings
- Soil-boring program (Phase II)
- Update to the Closure Plan

Actual closure of the facility began in 2005. The *Closure Report* outlines remediation actions that were accomplished. As discussed in the *Closure Report*, it was found there were no additional site clean-up tasks required or recommended for full environmental pollution closure under the provisions of applicable local, State, and Federal requirements. The Fremont Fire Department provided confirmation of the completion of activities related to the facility closure and required no further action (Letter dated August 13, 2008). ACWD provided recommendation for Leaking Underground Fuel Tank Case Closure to the California Regional Water Quality Control Board (RWQCB) (Letter dated October 6, 2008). The RWQCB provided a Closure Letter finding that the site investigation and corrective action carried out at the underground storage tank site was in compliance with the requirements of subdivisions (a) and (b) of Section 25296.10 of the Health and Safety Code and with corrective action regulations adopted pursuant to Section 25299.3 of the Health and Safety Code and that no further action related to the petroleum release at the site was required (Letter dated January 28, 2009).

Regulatory Framework

Hazardous waste generators and hazardous materials users in the City are required to comply with regulations enforced by several federal, state, and county agencies. The regulations are designed to reduce the risk associated with the human exposure to hazardous materials and minimize adverse environmental effects. State and federal construction worker health and safety regulations require protective measures during construction activities where workers may be exposed to asbestos, lead, and/or other hazardous materials.

The routine management of hazardous materials in California is administered under the Unified Program. The Fremont Fire Department acts as the Certified Unified Program Agency (CUPA), an administrative agency that coordinates and enforces numerous local, State, Federal hazardous materials management and environmental protection programs for hazardous material users city-wide, including:

- Hazardous Materials Business Plan Program
- Hazardous Waste Generator Program
- Underground Storage Tank Program
- California Accidental Release Program
- Tiered Permitting Program
- Aboveground Storage Tank Program

State and local regulations that pertain to the proposed project related to hazards and hazardous materials include:

- City of Fremont General Plan Land Use and Safety Chapters

- City of Fremont Fire Code
- Department of Toxic and Substances Control (DTSC) Hazardous Waste and Substances Site List

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		1, 6, 7
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X		1, 6, 7, G
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X		1, 3
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	1, 18, G
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X	N/A
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	N/A
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	1, 6, 7
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	30

Discussion/Conclusion/Mitigation

a-b) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

As previously described, it is anticipated approximately 2,000 cubic yards of material (soil, asphalt, concrete) would be exported from the Project site to prepare for site development. The *Closure Report* determined that there are no additional site clean-up tasks required or recommended for this site and the site was subsequently closed and has unrestricted or full environmental pollution closure status under the provisions of applicable local, State, and Federal

requirements. Nonhazardous soil to be exported would be taken to a facility that accepts Class III material, such as the Dumbarton Quarry (9600 Quarry Road, Fremont, CA).

With the implementation of Mitigation Measure MM Air-1, potential impacts related to the transport of this soil, such as fugitive dust, would be reduced to less than significant. [Less than Significant]

Potential Impact: Less than Significant

Mitigation: None Required

- c) **Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

The school nearest the proposed Project site is Centerville Junior High School, which is located approximately 0.25 miles away at 37720 Fremont Boulevard. As previously described, the *Closure Report* indicates that the site qualifies for unrestricted or full environmental pollution closure and does not contain hazardous materials, substances, or waste. Furthermore, the proposed residential development would not involve the emission or handling of hazardous or acutely hazardous materials, substances, or waste.

Potential Impact: Less than Significant

Mitigation: None Required

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

The Project site is not listed on the Department of Toxic Substance Control's Hazardous Waste and Substances Site List (Cortese List) and would not create a significant hazard to the public or the environment. Thus, no impact would result.

Potential Impact: No Impact

Mitigation: None Required

- e-f) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

The Project site is not located within an airport land use plan nor are there any public or private airports within City limits. Thus, no impact would result.

Potential Impact: No Impact

Mitigation: None Required

- g-h) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

The City of Fremont's Disaster Management Operations Plan (DMOP) was developed in compliance with State requirements and also meets the requirements of the Federal Emergency Management Agency, (FEMA) as the City's local hazard mitigation plan. Fremont's DMOP provides policies and procedures for the evacuation, dispersal, or relocation of people from hazardous areas during disasters to less threatened areas. The plan also describes the organization and responsibilities for conducting movement operations. The need for evacuation routes and the appropriate routes will vary for each type of disaster. The proposed Project would be located on a previously developed site and would not impair or interfere with the adopted emergency response or emergency evacuation plan.

The proposed Project site is not located in a Fire Hazard Area and would not expose people or structures to significant risk involving wildland fires.

Potential Impact: No Impact

Mitigation: None Required

IX. HYDROLOGY AND WATER QUALITY –

Environmental Setting

The proposed Project site is approximately 4.75-gross-acres in size. The site previously served as a City of Fremont municipal corporation yard, which was closed in 2005. Currently, there are no stormwater management facilities on the site and runoff drains primarily to the City's storm sewer system via the gutters adjacent to the site along Sequoia Road and Paseo Padre Parkway.

The proposed Project would include the excavation of existing concrete slabs and associated foundations and the removal of asphalt from the former corporation yard parking area. To create a flat building surface and facilitate effective drainage of stormwater to proposed bioretention areas, up to approximately 15,000 cubic yards of soil on site would be cut and shifted around the site. The type of construction equipment anticipated includes excavators, compactors, material delivery and concrete mixing trucks, pavers, water truck, and sweepers. The proposed Project is expected to be constructed over an approximately 13-month-long period.

Regulatory Framework

Federal, state and local regulations that pertain to the proposed project related to hydrology and water quality include:

- City of Fremont General Plan Conservation Chapter (Water Quality)
- California Regional Water Quality Control Board, San Francisco Bay Region, Alameda Countywide National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit, Order R2-2003-0021, National Pollution Discharge Elimination System Permit No. CAS00229831(NPDES C.3)
- Federal Clean Water Act 1987

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Violate any water quality standards or waste discharge requirements?				X	1, 6, 8, 14, 15, 16
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pro-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	1, 6, 8, 14, 15, 16
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X		1, 6, 8, 14, 15, 16
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X		1, 6, 8, 14, 15, 16
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X		1, 6, 8, 14, 15, 16
f.	Otherwise substantially degrade water quality?			X		1, 6, 8, 14, 15, 16
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	N/A
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X	1, 6, 17
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	1, 6, 8, 17
j.	Inundation by seiche, tsunami, or mudflow?				X	1, 6, 8, 17

Discussion/Conclusion/Mitigation

- a-c, f) Would the project violate any water quality standards or waste discharge requirements? Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pro-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? Would the project otherwise substantially degrade water quality?**

The site is approximately 90 percent paved, which includes areas of deteriorated, cracking paving and partial foundations of demolished and removed buildings associated with the previous corporation yard use. The proposed Project, which includes the addition of multiple residential buildings, a private street, and internal walkways would replace approximately 152,000 square feet of existing impervious surface.

Because the Project would create in excess of 10,000 square feet of impervious surface area, it would be subject to the NPDES C.3 requirements of the Municipal Regional Stormwater Permit, which regulate the treatment of stormwater runoff on the site. As such, the Project would be required to incorporate low impact development (LID) techniques to treat stormwater runoff from all on-site impervious surfaces on site before it is discharged into the public storm drain system.

The Project would be designed in compliance with C.3 requirements and construction would be done in conformance with the California State Water Board Construction General Permit and Best Management Practices provided in the CASQA Construction BMP Handbook and, as such, no water quality or groundwater impacts would result.

Potential Impact: Less Than Significant

Mitigation: None Required

- d-e) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

The proposed project would not substantially alter existing drainage patterns or result in the alteration of the course of any water body. The proposed project would also decrease the amount of impervious surface which would decrease the rate and amount of surface runoff from the site. Drainage from the project would be directed into several bio-retention and landscape-based treatment areas located throughout the development (see response to questions IX, a-c and f, above), and ultimately discharge into the public storm drain system via a new, underground piped system that would be constructed on site. Thus, no impact would result.

Potential Impact: Less Than Significant

Mitigation: None Required

- g-j) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? Place**

within a 100-year flood hazard area structures which would impede or redirect flood flows? Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? Inundation by seiche, tsunami, or mudflow?

The project site is located within Federal Emergency Management Agency Flood Insurance Rate Map (FIRM), Panel Nos. 06001C0434G and 06001C0442G, effective August 3, 2009. According to these FIRMs, the project site is located within an Unshaded X zone and is, therefore, outside of the 100-year flood zone. The project site is also not situated within a Special Flood Hazard Area or an area that would be subject to inundation as a result of failure of a dam, levee, or reservoir. As such, no impact would result.

Potential Impact: No Impact
Mitigation: None Required

X. LAND USE AND PLANNING

Environmental Setting

The proposed project includes a Tentative Tract Map (No. 8239), Design Review, Private Street, and Preliminary Grading Plan to facilitate development of 76 apartment units and 57 townhome units on an approximately 4.75-gross-acre project site which includes an approximately 4.50 acre lot (APN: 501-1310-009-02) and an approximately 0.18-acre easement area for parking and landscaping on an adjacent lot (APN: 501-1310-21-9), which is owned by the Alameda County Water District, within the Centerville Community Plan Area of the City of Fremont. The proposed project site at 37350 Sequoia Road (APN: 501 1310-009-02) is located on the southeast corner of the intersection of Sequoia Road and Paseo Padre Parkway (see Figure 1: Vicinity Map) and previously served as a City of Fremont municipal corporation yard.

As part of the proposed project, the 4.75-gross-acre project site would be subdivided into 11 residential lots (including one lot for the apartment building and ten lots for the ten multi-unit townhouse buildings), four parcels for the proposed private street, two parcels for the common use areas adjacent to the townhouse buildings, and one parcel for the proposed storm water treatment and landscaping area along the eastern perimeter of the subject property. The proposed project would include a new, internal private street to serve the development and provide access to Sequoia Boulevard and Paseo Padre Parkway with two right-in, right-out driveways on Sequoia Boulevard and one right-in, right-out driveway on Paseo Padre Parkway. Parking for the apartment units would be provided with surface parking located along the northeastern perimeter of the site. Parking for each proposed townhouse would be provided with two-car garages attached to the units. Guest parking would be located along the southern perimeter of the site, near the Central Pacific Railway. Limited on-street parking would be available on Sequoia Boulevard.

The properties to the west of the proposed Project site and across Sequoia Road consist of two multi-family residential developments on land with a General Plan Land Use designation of Medium Density Residential: a 50-unit apartment complex at the corner of Paseo Padre Parkway and Sequoia Road (Paseo Fremont Apartments) and a 248-unit condominium development on Sequoia Boulevard (Baywood Villas). To the northwest and north of the project site, across Paseo Padre Parkway, are two multi-family residential developments on land with a General Plan Land Use designation of Medium Density Residential: a 134-unit apartment complex (Paseo Fremont Apartments) and a 480-condominium unit and 125-single-family home development (Creeside Village). To the northeast, across Paseo Padre Parkway,

and directly adjacent to the east, are two large ponds (Pits T-1 and T-2, previously described) owned by Alameda County Water District with a General Plan Land Use designation of Open Space – Resource Conservation and Public Open Space. To the south of the project site is a narrow lot owned by ACWD, which runs between the Project site and the railroad and provides maintenance access to Pit T-2 (APN: 501-1310-21-9). Further to the south lies the Central Pacific Railway on land with a General Plan Land Use designation of Rail Road Corridor and, beyond that, a single-family residential neighborhood on land with a General Plan Land Use designation of Low Density Residential.

Regulatory Framework

State and local regulations that pertain to the proposed project related to land use and planning include:

- City of Fremont General Plan Land Use and Community Character Chapters
- Habitat Conservation Programs, California Department of Fish and Wildlife

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Physically divide an established community?				X	1, 2, 3, 8
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X	1, 2, 3, 8
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	1, 2, 3, 8

Discussion/Conclusion/Mitigation

- a-c) Would the project physically divide an established community? Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?**

The proposed project would not physically divide an established community in that it would be located in an area of the City near existing residential developments, along a primary arterial street (Paseo Padre Parkway). Therefore, it would not introduce an incompatible land use to the area. The density and characteristics of the proposed development are consistent and compatible with surrounding development.

As described in the project description at the beginning of this Initial Study, the zoning designation for the project site is currently R-3-27 Multifamily Residence District. As part of a City-initiated comprehensive update to the Commercial, Residential and Open Space zoning districts within the City, multiple lots within the City, including the subject site, have been rezoned to bring those zoning district designations into conformance with the City's General Plan. The City-initiated rezoning, which included the subject property and rezoned the site to R-3-30 Multifamily Residence District, was approved by the City Council on June 2, 2015 and will

be effective from July 2, 2015. The proposed project, at a density of approximately 29 dwelling units per net acre, would be in conformance with the R-3-30 Multifamily Residence District zoning designation and the site's General Plan Land Use designation of Medium Density Residential (14.6 to 29.9 units per net acre).

The project would not conflict with any General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect. Furthermore, there are no habitat conservation or natural community conservation plans adopted for the site. Therefore, no impacts on land use planning would result from the project, and no mitigation is required.

Potential Impact: No Impact

Mitigation: None Required

XI. MINERAL RESOURCES

Environmental Setting

There are six sectors within the City of Fremont designated by the State Mineral and Geology Board as areas with mineral resources. Several are in the East Hills area adjacent to public park lands and regional preserves, while one is west of I-880 in a designated industrial area adjacent to the San Francisco Bay National Wildlife Refuge. Others include the Niles Cone, the aquifer complex that provides much of the area's drinking water, and the former Dumbarton Quarry on the west side of Fremont, covering approximately 91 acres adjacent to Coyote Hills Regional Park on the north and the Dumbarton Bridge on the south. The Project site is not located within or near any of the sectors discussed above.

Regulatory Framework

State and local regulations that pertain to the proposed project related to mineral resources include:

- City of Fremont General Plan Conservation Chapter
- Surface Mining and Reclamation Act (SMARA) 1975, California Department of Conservation

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	8
b.	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X	8

Discussion/Conclusion/Mitigation

a-b) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

According to local and state mineral resources maps, there are no known mineral resources of importance to the state or region on the site or within the surrounding area. Therefore, no impact would result.

Potential Impact: No Impact

Mitigation: None Required

XII. NOISE

Environmental Setting

The following discussion is based in part on a *Noise and Vibration Assessment*, dated May 13, 2015, by Illingworth & Rodkin, Inc.

Environmental Setting

The project site is located along Sequoia Road and Paseo Padre Parkway. Uses adjacent to the site include an ACWD pond (site of a former quarry), the Central Pacific Railway, and multi-family residential developments. The major noise sources affecting the project site are vehicular traffic along Paseo Padre Parkway, to the north of the Project site, and rail traffic along the Central Pacific Railway, to the south of the Project site.

The City of Fremont General Plan classifies the segment of Paseo Padre Parkway in front of the proposed Project site as a Primary Arterial.

Regulatory Framework

State and local regulations that pertain to the proposed project related to noise include:

- City of Fremont General Plan Safety Chapter (Noise and Vibration)
- City of Fremont Municipal Code
- California Building Code (2013)

Environmental Checklist

Would the project result in:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X			1, 3, 9, H
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X		1, 3, 9, H
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X		1, 3, 9, H
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the			X		1, 3, 9, H

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
	project?					
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X	N/A
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X	N/A

Discussion/Conclusion/Mitigation

- a-c) Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? Exposure of persons to a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

Noise Analysis: To quantify the existing noise environment at the project site, noise measurements were conducted at the site between November 5 and November 7, 2014. Testing locations and results are provided in the *Noise and Vibration Assessment*. As provided in the *Noise and Vibration Assessment*, the major noise sources affecting the project site are vehicle traffic on Paseo Padre Parkway and rail traffic on the Central Pacific Railway.

Exterior Noise Levels

The City General Plan states that exterior noise levels should not exceed a day-night average sound level (Ldn) of 60 decibels (dB) at backyards in single-family housing projects and recreation areas in multi-family housing projects; however, where an outdoor Ldn of 60 dB(A) or lower cannot be achieved after application of feasible mitigations, an Ldn of 65 dB(A) may be permitted at the discretion of the City Council.

As discussed in the *Noise and Vibration Assessment*, the site plan for the Project includes a small courtyard for the proposed apartments that would be set back approximately 130 feet from the centerline of Paseo Padre Parkway. Future traffic noise levels are calculated to be approximately 67 dBA Ldn at this distance. The proposed apartment buildings would provide at least 10 dBA of noise reduction for receptors located within the courtyard (57 dBA Ldn); therefore, the exterior noise level goal of 60 dBA Ldn would be met at the proposed common outdoor recreation area.

Additionally, there is a Parcel D common use area designated to the west of the easternmost townhouses. This common use area stretches from approximately 310 feet from the centerline of Paseo Padre Parkway to approximately 150 feet from the center of the UPRR tracks. The area would receive shielding from Paseo Padre Parkway and Sequoia Road by the proposed apartment and townhouse buildings. The proposed 8-foot sound wall along the southern property line would provide partial shielding from the UPRR tracks. Due to the setbacks from the roadways and train tracks, as well as the shielding provided by the proposed buildings and sound wall, the calculated noise environment at the Parcel D common use area would be less than 60 dBA Ldn.

Traffic noise levels at the nearest proposed townhome units to Paseo Padre Parkway are calculated to range from 55 to 58 dBA Ldn when accounting for the additional distance between

the receptors and Paseo Padre Parkway and acoustical shielding provided by intervening buildings. The exterior noise level goal of 60 dBA Ldn would also be met at the outdoor use areas of townhomes proposed nearest Paseo Padre Parkway without additional mitigation.

Townhome units proposed nearest the railway would be exposed to exterior noise levels of approximately 61 dBA Ldn when unmitigated. The City of Fremont allows an outdoor noise exposure of up to 70 dBA Ldn near railroad noise sources, recognizing that train noise is characterized by relatively few loud events. Private exterior use areas at the townhome units proposed nearest the railway would be considered compatible with the noise environment attributable to railroad trains.

Interior Noise Levels

The California Building Code and the City of Fremont require project-specific acoustical analyses to achieve interior noise levels of 45 dBA Ldn or lower in residential units exposed to exterior noise levels greater than 60 dBA Ldn. Noise levels in new residential development exposed to an exterior level of 60 dBA Ldn or greater should be limited to typical maximum instantaneous noise levels in bedrooms of 50 dB(A) during the nighttime (10 PM to 7 AM). Typical maximum instantaneous noise levels in other rooms, and bedrooms during the daytime, should not exceed 55 dB(A). Where the noise source is railroad trains or BART, special building construction techniques (e.g., sound-rated windows and building facade treatments, minimize façade openings, locate bedrooms away from noise sources) may be required to achieve the interior single event noise level limits.

As discussed in the *Noise and Vibration Assessment*, the nearest apartment building façade to Paseo Padre Parkway would be located about 85 feet from the roadway centerline, and the future noise exposure at this façade is calculated to be 70 dBA Ldn. Townhome units proposed nearest the UPRR would be exposed to exterior noise levels of below 60 dBA Ldn on the first floor, due to the proposed 8-foot sound wall at the southern property line, and to levels of approximately 61 dBA Ldn on the second and third floors. In buildings of typical construction, with the windows partially open, interior noise levels are generally 15 dBA lower than exterior noise levels. With the windows closed, standard residential construction typically provides about 20 to 25 decibels of noise reduction. For example, a unit exposed to exterior noise levels of 65 dBA Ldn would be 50 dBA Ldn inside with the windows partially open and would range from 40 to 45 dBA Ldn with the windows shut. Attaining the necessary noise reduction from exterior to interior spaces is possible with proper wall construction techniques, the selection of proper windows and doors, and the incorporation of a forced-air mechanical ventilation system to allow the occupant the option of controlling noise by closing the windows. Forced-air mechanical ventilation, satisfactory to the local building official, would be required throughout the site to allow occupants to keep the windows closed to control noise.

Potential Impact Noise-1: Future residents of the project may be exposed to interior noise levels in excess of standards established in the local general plan. [Less than Significant with Mitigation Incorporated]

Mitigation Measure: The following mitigation measures would reduce impacts from noise on the occupants of the dwelling units to a less-than-significant level:

MM Noise-1.1a (Ventilation):

Building sound insulation requirements shall include the provision of forced-air mechanical ventilation for all exterior facing rooms on the project site, so that windows could be kept closed at the occupant's discretion to control noise.

MM Noise-1.1b (Sound-rated Construction Methods):

Sound-rated construction methods shall be used to attenuate interior maximum instantaneous noise levels due to railroad trains. Moderate- to high-performance sound-rated windows (STC 30 to 36) shall be installed for the townhome units nearest the UPRR in order to achieve the 45 dBA Ldn interior noise standard, as well as the interior noise goal of 50 dBA Lmax in bedrooms and 55 dBA Lmax in other rooms.

Moderate-performance sound-rated windows (STC2 28 to 32) shall be installed for apartment units nearest Paseo Padre Parkway to achieve the 45 dBA Ldn interior noise standard, as well as the interior noise level goal of 50 dBA Lmax in bedrooms and 55 dBA Lmax in other rooms.

MM Noise-1.1c (Plan Review by Acoustical Specialist):

Prior to issuance of a Building Permit, the proposed floor plans and building elevations shall be reviewed by a qualified acoustical specialist and a letter shall be submitted to the building inspector along with the plans stipulating that the design incorporates the noise control treatments necessary to achieve acceptable interior noise levels.

Vibration Analysis: The City of Fremont has adopted the U.S. Department of Transportation, Federal Transit Administration's (FTA) vibration impact assessment criteria² for use in evaluating vibration impacts associated with development within 150 feet of rail lines. The FTA vibration impact criteria are based on maximum overall levels for a single event. The impact criteria for groundborne vibration are shown in Table 1 of the *Noise and Vibration Assessment*. Note that there are criteria for frequent events (more than 70 events of the same source per day), occasional events (30 to 70 vibration events of the same source per day), and infrequent events (less than 30 vibration events of the same source per day).

To quantify the existing vibration environment at the project site, vibration measurements were conducted at the site on November 5, 2014. Testing locations and results are provided in the *Noise and Vibration Assessment*. As provided in the *Noise and Vibration Assessment*, the major source of groundborne vibration at the site results from railroad train passbys.

As discussed in the *Noise and Vibration Assessment*, the noise measurement data indicates that approximately 19 to 22 trains per 24-hour day passed the site. This would place the level of train activity in the "infrequent events" category. The threshold is therefore 80 VdB. The maximum vibration level measured at the approximate location of the nearest proposed residential structure, 95 feet from the near track, was 77 VdB, below the 80 VdB threshold level. Persons at rest may perceive the vibration; however, vibration controls are not required.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Development of the project would result in a temporary increase in noise levels during daytime hours, particularly from diesel-powered earth-moving equipment and other heavy construction machinery. All construction-related activities would be required to comply with the noise

² U.S. Department of Transportation, Federal Transit Administration, Transit Noise and Vibration Impact Assessment, May 2006, FTA-VA-90-1003-06.

standards contained in the City of Fremont's Municipal Code for projects adjacent to/within residential neighborhoods, which would limit such activities to certain times of the day and week to reduce noise impacts on adjacent properties. These restrictions are:

Monday-Friday, 7 a.m. to 7 p.m.
Saturday and Holidays, 9 a.m. to 6 p.m.
Sunday, no construction activity allowed

The above construction hours would ensure that potentially loud construction activities would occur during daylight hours when other short-term noise impacts from such sources as diesel-powered vehicles, leaf blowers, school playgrounds and other nearby construction work would typically occur.

Potential Impact: Less than Significant

Mitigation: None Required

- e-f) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

There are no public or private airports located in the City or vicinity. No impact would result.

Potential Impact: No Impact

Mitigation: None Required

XIII. POPULATION AND HOUSING

Environmental Setting

The population of the City of Fremont was estimated to be approximately 219,926 in January 2013.³ The total number of housing units in Fremont was approximately 75,186 as of January 2014, approximately 72,154 of which were occupied; the average household size of owner-occupied units was 3.08. The Association of Bay Area Governments (ABAG) estimates that approximately 90,010 jobs were provided within the City of Fremont in 2010, and approximately 120,000 jobs would be provided by the year 2040. ABAG also estimates that there will be approximately 91,620 households within the City by 2040.⁴

The City's General Plan, adopted in 2011, establishes goals, policies, and actions to guide development and ensure the City has an adequate supply of housing.

³ State of California, Department of Finance. E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2012 and 2013. January 2014. Available at:

<http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/view.php>

⁴ ABAG, MTC. *Final Forecast of Jobs, Population, and Housing: Plan Bay Area*. July 2013. Available at:

<http://www.onebayarea.org/plan-bay-area/final-plan-bay-area.html>

Regulatory Framework

Local regulations that pertain to the proposed project related to population and housing include:

- City of Fremont General Plan Land Use and Housing Chapters (referencing City Housing Element, July 2009)

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	1, 2, 4
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	1, 2, 4
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	1, 2, 4

Discussion/Conclusion/Mitigation

- a-c) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

The proposed project is consistent with the residential density prescribed for the property by the City's General Plan. The proposed project, at a density of approximately 29 dwelling units per net acre, would be in conformance with the site's General Plan Land Use designation of Medium Density Residential (14.6 to 29.9 units per net acre). As such, it will not result in unanticipated growth in an area of the City for which residential growth has not already been planned. In addition, the project site is adjacent to existing residential uses on three sides.

Vehicle and pedestrian traffic from the proposed Project will access adjacent public streets (Sequoia Road and Paseo Padre Parkway) via a proposed private street, driveways, and pedestrian walkways to be constructed on the project site. Wastewater and other utilities for the proposed Project would be connected to existing facilities adjoining Sequoia Road. The proposed project would not induce substantial population growth in the area, as growth at the density proposed with the Project is already envisioned in the General Plan.

No housing would be displaced with the proposed Project, as the proposed project site is vacant of buildings and housing. The Project would not result in the displacement of a large population or require the construction of replacement housing elsewhere.

Potential Impact: No Impact

Mitigation: None Required

XIV. PUBLIC SERVICES

Environmental Setting

Fire protection services for the Project site are provided by the Fremont Fire Department (FFD) and Police protection services for the Project site are provided by the Fremont Police Department (FPD). The closest fire station to the Project site is Fire Station 6, which is located less than one mile to the southwest of the Project site at 4355 Central Avenue. All City police functions are located in one police station at 2000 Stevenson Boulevard.

The Project site is located in the Fremont Unified School District (FUSD), which operates one pre-kindergarten campus, 28 elementary schools, five junior high schools, five high schools, and one continuation school. The school nearest the proposed Project site is Centerville Junior High School, which is located approximately 0.25 miles away at 37720 Fremont Boulevard.

The City of Fremont maintains approximately 1,148 acres of parkland, spread over 53 parks, which provides recreational facilities to the community. The park nearest the Project site is Centerville Community Park at 3355 Country Drive, which is located approximately 0.6 miles to the southeast.

Regulatory Framework

Local regulations that pertain to the proposed project related to public services include:

- City of Fremont General Plan Public Facilities and Safety Chapters
- City of Fremont Municipal Code

Environmental Checklist

Would the project?

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
	Fire protection?			X		1, 10
	Police protection?			X		1, 10
	Schools?			X		1, 10
	Parks?			X		1, 10
	Other public facilities?			X		1, 10

Discussion/Conclusion/Mitigation

- a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire, police, schools, parks or other public facilities?**

On September 3, 1991, the City Council passed resolutions implementing the levying of Development Impact Fees for all new development within the City of Fremont. These fees are required of any new development for which a building permit is issued on or after December 1,

1991. The concept of the impact fee program is to fund and sustain improvements that are needed as a result of new development as stated in the General Plan and other policy documents within the fee program. Development Impact Fees fall into the following categories: Traffic Impact Fees, Park Dedication and Park Facilities In-Lieu Fees, Capital Facilities Fees, and Fire Service Fees. Similarly, all new residential developments are required to pay School District fees to offset any impacts they might have on existing and/or planned public educational facilities. Payment of the required Development Impact and School District fees by the applicant prior to the issuance of building permits for the proposed project would result in the project having no significant impact on public services, schools, or other public facilities.

Potential Impact: Less than Significant

Mitigation: None Required

XV. RECREATION

Environmental Setting

The City of Fremont maintains approximately 1,148 acres of parkland, spread over 53 parks, which provides recreational facilities to the community. In addition, residents and community members also have access to parks and trail systems maintained by other agencies, including: the East Bay Regional Parks, the Don Edwards San Francisco Bay National Wildlife Refuge, the San Francisco Bay Trail, and other recreational trails. The City also operates other recreational facilities including five community centers, various sport facilities, a water park, and an art gallery.

Existing parks located near the Project site include Centerville Community Park, at 3355 Country Drive, which is approximately 0.6 miles to the southeast, Los Cerritos Community Park, at 3377 Alder Avenue, located approximately 0.6 miles to the west, Rancho Arroyo Park, on Montecito Drive, which is approximately 0.75 miles to the northeast, and Niles Community Park, at 472 School Street, which is approximately 0.8 miles to the northeast.

Regulatory Framework

Local regulations that pertain to the proposed project related to recreation include:

- City of Fremont General Plan Parks and Recreation Chapter

Environmental Checklist

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		1, 2, 3, 12
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X		1

Discussion/Conclusion/Mitigation

a-b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? Does the project include recreational facilities or require the

construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Construction of the proposed residential development would result in a slight increase in demand for local and regional park and recreation facilities from the project's residents; however, payment of the required in-lieu park dedication and park facility fees for new residential development as described in Section XIV - Public Services, above, would offset the increased demand in accordance with applicable City ordinances and reduce the impacts to such facilities to a less-than-significant level.

Potential Impact: Less than Significant

Mitigation: None Required

XVI. TRANSPORTATION/TRAFFIC

Environmental Setting

The following discussion is based in part on a Level of Service (LOS) analysis for intersections near the project site (at Sequoia Road and Paseo Padre Parkway, Paseo Padre Parkway and Thornton Avenue, and Paseo Padre Parkway and Peralta Boulevard) and provided in a *LOS Analysis Scenario Comparison Report* and a *LOS Analysis Summary Scenario Comparison Report*, dated June 2015, conducted for the Project by City Transportation Engineering staff.

The proposed Project site is located on Sequoia Road at the southeast corner of the intersection of Sequoia Road and Paseo Padre Parkway, which is a signalized intersection. The posted speed limit on this section of Paseo Padre Parkway is 45 miles per hour and the Average Daily Total Volume (ADTV) of vehicle traffic is 27,858 vehicles⁵.

The Fremont General Plan identifies within its Mobility Chapter that Level of Service (LOS) for signalized intersections of LOS D is the transportation operations threshold of significance for traffic impacts. Level of Service D represents a moderate amount of vehicle delay during the peak hour of intersection operations. For intersections operating at LOS E or F, an average delay increase of 4 seconds or more due to project traffic would be considered a significant impact. The General Plan EIR is a program-level EIR that includes analysis of potential transportation impacts related to the land use designations, policies, and goals provided in the General Plan. The cumulative analysis in the General Plan EIR assumed the project site would be built out with the density and uses allowed per the site's General Plan Land Use designation. The proposed multi-family residential project at a density of approximately 29 dwelling units per net acre conforms to the General Plan land use designation of Medium Density Residential (14.6 to 29.9 units per net acre) for the Project site.

Regulatory Framework

Local regulations that pertain to the proposed project related to transportation/traffic include:

- City of Fremont General Plan Mobility Chapter

Environmental Checklist

Would the project:

⁵ City of Fremont, *Traffic Counts Table 2010*, available online: <https://www.fremont.gov/869/Transportation-Data>. Accessed: April 9, 2015.

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X		1, 3, 7, I
b.	Conflict with an applicable congestion management program, including, but not limited to a level of service standard standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X		1, 3, 7, I
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	1, 3, 7
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	1, 3, 7
e.	Result in inadequate emergency access?			X		1, 6, 7
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X		1, 3, 7

Discussion/Conclusion/Mitigation

- a-b) Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? Would the project conflict with an applicable congestion management program, including, but not limited to a level of service standard standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

The proposed project would include a new, internal private street to serve the development and provide access to Sequoia Boulevard and Paseo Padre Parkway with two right-in, right-out driveways on Sequoia Boulevard and one right-in, right-out driveway on Paseo Padre Parkway. The segment of Paseo Padre Parkway in front of the project site currently carries an Average Daily Total Volume (ADTV) of vehicle traffic of 27,858 vehicles⁶, and an average PM peak hour volume of 3,127 vehicles. PM peak hour traffic generation is one of the primary factors in determining if significant traffic impacts would occur as a result of a proposed project, as this is typically the time when most roadways are at their busiest and when emissions levels are highest.

Sequoia Road and Paseo Padre Parkway Intersection (signalized)

⁶ City of Fremont, *Traffic Counts Table 2010*, available online: <https://www.fremont.gov/869/Transportation-Data>. Accessed: April 9, 2015.

The intersection operates at LOS B or better during the AM peak hour and LOS A or better during the PM peak hour. With the addition of project-generated trips, the intersection would operate at LOS B or better during the AM peak hour and LOS A or better during the PM peak hours.

Paseo Padre Parkway and Thornton Avenue Intersection (signalized)

The intersection operates at LOS C or better during the AM peak hour and LOS C or better during the PM peak hour. With the addition of project-generated trips, the intersection would operate at LOS C or better during the AM and PM peak hours.

Paseo Padre Parkway and Peralta Boulevard Intersection (signalized)

The intersection operates at LOS D or better during the AM peak hour and LOS D or better during the PM peak hour. With the addition of project-generated trips, the intersection would operate at LOS D or better during the AM and PM peak hours.

It is the City's practice to conduct a traffic study if the net peak hour project trip increase exceeds 100 new peak hour trips, which is consistent with Alameda County Transportation Commission requirements for analyzing project impacts. City Transportation Staff estimates the proposed project consisting of 57 Townhomes and 76 apartments is estimated to generate 836 weekday vehicle trips, 64 Weekday AM (7-9) peak hour trips, and 77 Weekday PM (4-6) peak hour trips. Trip generation estimates are based on ITE Trip Generation Handbook, 9th Edition, ITE #230 Residential Condominium/Townhouse and #220 Apartment. Because the project is estimated to generate less than 100 new peak hour trips a Traffic Impact Analysis (TIA) is not required; however, Transportation Staff did analyze existing LOS at the nearby intersections, as described above, and determined that the intersections with the inclusion of traffic from the project, would still operate at acceptable Levels of Service and would not create a significant traffic impact.

The Alameda County Transportation Commission (ACTC) requires the evaluation and assessment of regional roadways within the study area that are designated as Congestion Management Program (CMP) and Metropolitan Transportation System (MTS) facilities. No CMP analysis is required because the project will not generate 100 new peak hour trips. ACTC Land Use Analysis Program Transportation Impact Analysis requirements state that the ACTC will review land use projects that will cause a net increase of 100 or more p.m. peak-hour trips. Net increase is determined with respect to existing uses at the project site (if the project entails a General Plan Amendment). The proposed project does not entail a General Plan Amendment.

The proposed project is consistent with new residential development anticipated for this site in the 2011 General Plan. The General Plan promotes design and Transportation Demand Management (TDM) policies to encourage vehicle trip reduction to lessen impacts on the transportation system. These include facilitating pedestrian connectivity (3-2.3C), and Park and Ride facilities (3-2.9B). The proposed project represents a less than significant impact to the local roadway network and would not conflict with an applicable congestion management program. [Less Than Significant Impact]

Potential Impact: Less than Significant

Mitigation: None Required

- c-d) **Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

The proposed project would not have an impact on air traffic patterns as there are no airports in Fremont. The design of the proposed project, including driveway improvements, would be consistent with City development standards. Vehicular access to the project site would be provided via a new private street that intersects with Sequoia Road and Paseo Padre Parkway and would be designed to City standards for traffic safety and accessibility purposes. Thus, no impacts would result.

Potential Impact: No Impact

Mitigation: None Required

e-f) Would the project result in inadequate emergency access? Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Emergency vehicle access would be provided throughout the entire project over the proposed private street. No sharp curves or dangerous intersections would be created by the project, the new private street would be designed in accordance with the City's standard details. Furthermore, the proposal does not feature any other unusual design elements that could pose a substantial safety hazard to vehicular or bicycle traffic or pedestrians. The proposed Project includes pedestrian walkways to encourage walking. The project would not conflict with any plans, policies or programs supporting alternative transportation in that it would not obstruct or otherwise impact any transit stops or bicycle lanes.

Potential Impact: No Impact

Mitigation: None Required

XVII. UTILITIES AND SERVICE SYSTEMS –

Environmental Setting

Water service to the Project site would be provided by the Alameda County Water District (ACWD). Wastewater from the Project site would be treated at the Alvarado Wastewater Treatment Plant (AWTP), which is operated by the Union Sanitary District (USD). The Alameda County Flood Control and Water Conservation District (ACFC) and the City of Fremont share responsibility for storm drainage within the City. The Project site is located in Zone 6 of the ACFC watershed management zones. Water from creeks located in Zone 6 flows through a series of pipelines and channels that discharge into either Coyote Creek or Mowry Slough before ultimately continuing onto the San Francisco Bay.

Solid waste services in the City of Fremont are provided by Allied Waste Services (AWS) of Alameda County. AWS provides curbside pick-up of recyclables, organics, and garbage, and transports materials collected to the Fremont Recycling and Transfer Station, located at 41149 Boyce Road, for processing. The majority of the garbage is subsequently transferred to the Altamont Landfill, located approximately 32 miles northeast of the Project site, for disposal; some garbage is also transferred to Newby Island Sanitary Landfill in San José for commercial disposal. The Altamont Landfill serves many municipalities in the Bay Area and is anticipated to have disposal capacity through the year 2045.

Regulatory Framework

Local regulations that pertain to the proposed project related to utilities and service systems include:

- City of Fremont General Plan Public Facilities Chapter
- City of Fremont Municipal Code

Environmental Checklist

Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		10
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		10
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		10
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		10
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		10
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		10, 24
g.	Comply with federal, state, and local statutes and regulations related to solid waste?			X		10, 24

Discussion/Conclusion/Mitigation

a-g) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Would the project comply with federal, state, and local statutes and regulations related to solid waste?

The proposed development would not generate a significant increase in wastewater or stormwater runoff levels that could exceed the capacity of the sewer and storm drain lines serving the project site. Stormwater treatment areas would be constructed along the western and southern perimeters of the project as well as to the east of the proposed apartment building and along the central paseo between the proposed townhouse buildings. Wastewater and other utilities would be connected to existing facilities adjoining Sequoia Road.

Potential Impacts to Wastewater Treatment

Per the General Plan Final Environmental Impact Report (GP EIR), the Alvarado Wastewater Treatment Plant has capacity to accommodate development anticipated under the General Plan. As the project would be consistent with the General Plan land use designation of Medium Density Residential (14.6 to 29.9 units per net acre) for the subject site, the project would have a less than significant impact on wastewater treatment and would not require the construction or expansion of existing facilities. [Less Than Significant Impact]

Potential Impacts to Storm Drainage

The site is approximately 90 percent paved, which includes areas of deteriorated, cracking paving and partial foundations of demolished and removed buildings associated with the previous corporation yard use. The proposed Project, which includes the addition of multiple residential buildings, a private street, and internal walkways would replace approximately 152,000 square feet of existing impervious surface.

Because the Project would create in excess of 10,000 square feet of impervious surface area, it would be subject to the NPDES C.3 requirements of the Municipal Regional Stormwater Permit, which regulate the treatment of stormwater runoff on the site. As such, the Project would be required to incorporate low impact development (LID) techniques to treat stormwater runoff from all on-site impervious surfaces before it is discharged into the public storm drain system. The project would be designed in compliance with C.3 requirements and, as such, no impacts related to storm drainage would result. [Less Than Significant Impact]

Potential Impacts to Water Supply

The 2011 General Plan Update FEIR concluded that new development anticipated under the General Plan would have a less than significant impact on water supplies. The proposed development is anticipated under the approved General Plan FEIR and would be consistent with the Medium Density Residential General Plan land use designation for the subject site. [Less Than Significant Impact]

Potential Impacts to Landfills and Solid Waste

The project would be served by the City's franchised waste hauler, in compliance with the applicable standards governing residential solid wastes and recyclables. The landfill facility that would receive the non-recyclable solid waste generated by the proposed project, the Altamont Landfill owned and operated by Waste Management of Alameda County, is anticipated to have capacity until the year 2045. The proposed development would comply with applicable local, state, and federal laws and policies regarding solid waste. As there is sufficient capacity at local landfills to serve the project, the project would have a less than significant impact on solid waste facilities and services. [Less Than Significant Impact]

Potential Impact: Less than Significant

Mitigation: None Required

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

ISSUES:		<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			See Previous
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X		See Previous
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			See Previous

Discussion/Conclusion/Mitigation

The above discussion adequately addresses all potential impacts the proposed Project may have on the environment. This initial study has found that the proposed Project would not have the potential to degrade the quality of the environment. The implementation of the identified mitigation measures listed in Section XIX, below, combined with the Project conditions of approval, would reduce all impacts the Project may have to a less-than-significant level.

XIX. MITIGATION MEASURES:

MM Air-1: Temporary Construction Emissions. The following best management practices shall be included in a dust control plan to limit fugitive dust emissions and noted on the grading and construction plans along with the contact information for a designated crew member responsible for the implementation of the dust control plan:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered twice per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the City of Fremont regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

MM Bio-1: Pre-Construction Surveys. If project-related activities are scheduled to occur during the nesting season (February 1 through August 31 for protected raptors and migratory birds), a focused survey of the work area for active nests of such birds shall be conducted by a qualified biologist within 15 days prior to the beginning of any project-related activities. If a lapse in the project related work of 15 days or longer occurs during the nesting season, another focused survey shall be required before project work can be reinitiated. If an active nest is found, the permittee (applicant or developer) shall establish a buffer area that surrounds the nest location. The width of the buffer shall be determined by the survey biologist and shall be dependent on the location of the nest and the affected species. No project-related work or activities shall be permitted within the buffer area until the biologist has determined the nest is no longer active. The final determination shall be made by the City of Fremont Planning Manager upon receipt of the biologist's recommendation.

MM Cult-1.1: Discovery of Archaeological Resources. If deposits of prehistoric or historical archaeological materials are discovered during Project activities, all work within 50 feet of the discovery shall be redirected. Project personnel shall not collect or move any archaeological materials. A qualified archaeologist shall be contacted to assess the situation and consult with agencies as appropriate, including the

City of Fremont. The archaeologist shall make recommendations for the treatment of the discovery. Adverse effects to archaeological deposits shall be avoided by Project activities, if feasible. If avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the National Register of Historic Places and the California Register of Historical Resources (PRC §21084.1; CEQA Guidelines §15064.5(c)(1)), or whether the deposit qualifies as a “unique archaeological resource” under CEQA. If the deposit is neither eligible for the National or California registers nor a unique archaeological resource, avoidance is not necessary. If the deposit is eligible or qualifies as a unique archaeological resource under CEQA, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to, excavation of the deposit in accordance with a data recovery plan and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and significance of the archaeological site and associated materials; and, if appropriate, adding the historic archaeological material and technical report to an archaeological repository. Educational public outreach may also be appropriate. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results of resource evaluation and mitigation efforts. The report shall be submitted to the Northwest Information Center at Sonoma State University.

MM Cult-1.2: Discovery of Human Remains. If human remains are discovered during Project activities, the procedures outlined in Section 7050.5 of the California Health and Safety Code shall be implemented. Work within 50 feet of the discovery shall be redirected and the Alameda County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate, including the City of Fremont Planning Department. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

MM Cult-1.3: Discovery of Paleontological Resources. In the event of the discovery of Paleontological resources during construction or demolition, there shall be no further excavation or disturbance of the site within a 50 foot radius of the location of such discovery until it can be evaluated by a qualified archeologist or paleontologist. Work shall not continue until the archeologist or paleontologist conducts sufficient research and data collection to make a determination as to the significance of the resource. If the resource is determined to be significant and mitigation is required, the first priority shall be avoidance and preservation of the resource. All feasible recommendations of the paleontologist shall be implemented. Mitigation may include, but not limited to, in-field documentation and recovery of specimens, laboratory analysis, preparation of a report detailing the methods and findings of the investigation, and curation at an appropriate paleontological collection facility.

MM Noise-1.1a (Ventilation):

Building sound insulation requirements shall include the provision of forced-air

mechanical ventilation for all exterior facing rooms on the project site, so that windows could be kept closed at the occupant's discretion to control noise.

MM Noise-1.1b (Sound-rated Construction Methods):

Sound-rated construction methods shall be used to attenuate interior maximum instantaneous noise levels due to railroad trains. Moderate- to high-performance sound-rated windows (STC 30 to 36) shall be installed for the townhome units nearest the UPRR in order to achieve the 45 dBA L_{dn} interior noise standard, as well as the interior noise goal of 50 dBA L_{max} in bedrooms and 55 dBA L_{max} in other rooms.

Moderate-performance sound-rated windows (STC 28 to 32) shall be installed for apartment units nearest Paseo Padre Parkway to achieve the 45 dBA L_{dn} interior noise standard, as well as the interior noise level goal of 50 dBA L_{max} in bedrooms and 55 dBA L_{max} in other rooms.

MM Noise-1.1c (Plan Review by Acoustical Specialist):

Prior to issuance of a Building Permit, the proposed floor plans and building elevations shall be reviewed by a qualified acoustical specialist and a letter shall be submitted to the building inspector along with the plans stipulating that the design incorporates the noise control treatments necessary to achieve acceptable interior noise levels.

GENERAL SOURCE REFERENCES:

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of Fremont Department of Community Development. References to publications prepared by federal or state agencies may be found with the agency responsible for providing such information.

1. Existing land use.
2. City of Fremont General Plan (Land Use Element Text and Maps)
3. City of Fremont Municipal Code Title 18, Planning and Zoning (including Tree Preservation Ordinance)
4. City of Fremont General Plan (Certified 2009 Housing Element)
5. Alquist-Priolo Earthquake Fault Zoning Act and City of Fremont General Plan (Safety Element)
6. City of Fremont General Plan (Safety Element)
7. City of Fremont General Plan (Mobility Element)
8. City of Fremont General Plan (Conservation Element, including Biological Resources, Water Resources, Land Resources, Air Quality, Energy Conservation and Renewable Energy)
9. City of Fremont General Plan (Safety Element, subsection Noise & Vibration)
10. City of Fremont General Plan (Public Facilities Element)
11. City of Fremont General Plan (Community Character Element)
12. City of Fremont General Plan (Parks and Recreation Element)
13. City of Fremont General Plan (Community Plans Element, Measure T)
14. RWQCB National Pollutant Discharge Elimination System (NPDES) Municipal Permit October 2009
15. RWQCB, Construction Stormwater General Permit, September 2009
16. Alameda Countywide Clean Water Program Hydromodification Susceptibility Map 2007
17. Flood Insurance Rate Map (FEMA online) and City of Fremont General Plan (Safety Element)
18. Hazardous Waste & Substances Sites List, consolidated by the State Department of Toxic Substances Control, Office of Environmental Information Management, by Ca./EPA, pursuant to Government Code Section 65962.5 (accessed online)
19. Department of Conservation Important Farmland Map 2012
20. City of Fremont Agricultural Preserves Lands Under Contract (2007 Map and List)
21. Bay Area Air Quality Management District: Clean Air Plan (Bay Area Ozone Strategy 2010)
22. CARB Scoping Plan December 2008
23. City of Fremont Greenhouse Gas Emissions Inventory 2005
24. City of Fremont Municipal Code Title 8, Health and Safety (e.g. solid waste, hazardous materials, etc.)
25. City of Fremont Municipal Code Title 12, Streets, Sidewalks & Public Property
26. City of Fremont Municipal Code Title 15, Building Regulations
27. City of Fremont Wireless Telecommunications Ordinance
28. Fremont Register of Historic Resources and Inventory of Potential Historic Resources
29. Local Cultural Resource Maps (CHRIS)
30. Fremont High Fire Severity Zone Map

PROJECT RELATED REFERENCES:

- A. *TAC and GHG Emissions Assessment*, dated November 2014, prepared for the Project by Illingworth & Rodkin, Inc.
- B. *Biological Reconnaissance Study*, dated June 10, 2015, prepared for the Project by LSA Associates, Incorporated
- C. *Tree Inventory Report*, dated October 2014, prepared for the Project by HortScience, Inc.
- D. *Geotechnical Slope Stability Investigation, City of Fremont Corporation Yard*, dated August 2005, by Cotton, Shires & Associates
- E. *Geotechnical Investigation on Granite Ridge Proposed Residential Development*, dated December 2014, by T. Makdissy Consulting, Inc.
- F. *Geotechnical Peer Review* – Correspondence between City Engineering Staff and Peer Reviewer (Geo-Logic Associates) and City Engineering Staff and T. Makdissy Consulting, Inc. – April-June 2015.
- G. *Closure Report for Former Corporation Yard 37350 Sequoia Road, Fremont, California*, dated April 2008, by The Consulting Group
- H. *Noise and Vibration Assessment*, dated May 13, 2015, by Illingworth & Rodkin, Inc.
- I. *LOS Analysis Scenario Comparison Report* and a *LOS Analysis Summary Scenario Comparison Report*, dated June 2015, conducted for the project by City Transportation Engineering staff.